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CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES
UNDER ARTICLE 44 OF THE CONVENTION

Second periodic reports of States parties due in 1998

Addendum

YEMEN

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* The present document contains, in addition to the second period report of the State party, the supplementary information on the situation of children in Yemen in the light of the Convention on the Rights of the Child compiled by the Ministry of Social Security and Social Affairs which had been requested by the Committee on the Rights of the Child at its eleventh session during the consideration of the initial report of Yemen (CRC/C/8/Add.20) (see A/51/41, paras. 821-843).

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Introduction

1. Since Yemen's ratification of the Convention on the Rights of the Child in 1991 and the subsequent preparation in October 1994 of the initial report on the situation of children in Yemen, the Yemeni Government, represented by the Ministry of Social Security, Social Affairs and Labour, being aware of its obligations in regard to the issues referred to in the provisions of that Convention, has been endeavouring to implement those provisions in an effective manner through plans and programmes of action. In this way, the Government is striving to give effect to the articles and provisions of that Convention notwithstanding the difficulties impeding their implementation.

2. The form and content of the present report are based on the general guidelines and on the observations which the Committee on the Rights of the Child made in 1996 on the initial report. It provides additional information in order to facilitate an objective and comprehensive insight into a number of legislative, social and educational issues within the context of governmental strategies, policies and programmes, as well as the Government's position on those issues and the strategies that are expected to be formulated to improve the standard of services for the benefit of children in Yemen since the ratification of the Convention and the submission of the initial report.

3. This report has been prepared in the light of the numerous child-related activities and programmes which the State has organized over the last two years including, in particular, a series of preparatory meetings of the working group comprising representatives of the various ministries and institutions concerned, as well as the NGO Coordinating Commission on the Rights of the Child, in the course of which the general framework of the Government's plan was defined. These meetings concluded with a symposium, held in Sana'a from 21 to 22 April 1996, on the implementation of the Convention on the Rights of the Child, which led to the formulation of a plan of action based on specific approaches and procedural measures, which became part of the policies which must be pursued by the Government and the governmental organizations through their competent channels, and the activation of the Higher Council for Maternal and Child Welfare.

4. In this connection, we take this opportunity to express the Ministry's gratitude to the working group which diligently prepared this report, the aim of which is to give a realistic and objective account of the manner in which the provisions of the Convention are being implemented and to enable the Government to rectify its child-related courses of action in the light of these findings and objectives.

I. LEGISLATION ON THE RIGHTS OF THE CHILD

5. Yemeni laws and legislation contain a number of legal provisions designed to provide adequate guarantees of the rights of Yemeni children in accordance with the aims set forth in the Convention on the Rights of the Child and the guidelines adopted by the Committee on the Rights of the Child in October 1991. These legal provisions cover numerous aspects of the lives, survival and development of children.

A. Definition of the child in Yemeni legislation

6. Various Yemeni laws and legislative enactments set the legal age for the exercise of various rights and obligations. For example:

(a) The Constitution. Under article 63 (b) of the amended Yemeni Constitution, the minimum age for participation, as a voter, in elections to the legislative authority (the House of Representatives) is 18 years. The same minimum age is also specified in the Electoral Act, the Compulsory National Service Act (art. 3) and the General Reserve Act (art. 4);

(b) The Civil Service Act. Article 22 stipulates that candidates for public office must be over 18 years of age, which may be reduced to 16 years of age in the case of posts and occupations which require special instruction at training institutes or centres;

(c) The Personal Status Act. Article 15 of this Act sets the minimum age for marriage at 15 years in the case of both males and females. Article 127 sets the minimum age of maturity for men at 10 years, on the attainment of puberty, and for women at 9 years, likewise on the attainment of puberty;

(d) The Civil Status and Civil Registration Act. This Act stipulates that every citizen of the Republic of Yemen is entitled to be issued with a personal identity card on reaching the age of 16 and with a family identity card if he marries and has children (art. 49 of the Act and art. 51 of the Civil Code). A person attains legal majority on reaching the age of 15 years, provided that he is in possession of his mental faculties and is rational in his behaviour at that time. Article 52 sets the age of discretion at 10 years, at which a person is regarded as being capable of exercising discretion although vested with the limited legal capacity of a child. Anyone who, on reaching the age of majority, is found to be an imbecile is deemed to be vested with the limited legal capacity of a child capable of exercising discretion;

(e) The Juveniles Act. This Act defines a "juvenile" as any person who commits an act which the law designates as criminal, or who becomes a potential delinquent, while under 15 years of age (art. 2);

(f) The Penal Code. With regard to criminal responsibility, this Code stipulates that a child under seven years of age who commits an act constituting an offence is not liable to criminal prosecution. If the act is committed by a child over 7 but under 15 years of age, instead of the prescribed penalty the judge can impose only one of the measures provided for in the Juveniles Act. Persons under 18 years of age may be sentenced to no more than half the legally prescribed maximum penalty;

(g) The Passports Act. Article 6 of this Act stipulates that passports and travel documents may be issued to any persons over 16 years of age who hold Yemeni nationality. Minor children are entered on the passport of either parent in whose company they are travelling. However, as an exception to this rule, a passport may be issued to a minor, subject to the approval of his guardian, if circumstances so require.

7. In general, the legal age specified in Yemeni legislation is consistent with the definition of the child and the age of majority as specified in the Convention on the Rights of the Child.

B. General principles concerning the rights of Yemeni children

8. Yemeni legislation embodies a number of principles, described in the following paragraphs.

1. Non-discrimination

9. Article 2 of the Convention stipulates that the child must not be subjected to discrimination of any kind, irrespective of the child's or his or her parent's race, sex or language, etc. and requires the States parties to take appropriate measures to ensure that the child is protected against all forms of discrimination. We find that Yemeni legislation defines these measures as follows:

(a) Articles 24, 40, 41 and 55 of the Yemeni Constitution guarantee opportunities for all citizens in the political, economic, social and cultural fields, as well as freedom of thought and freedom to express opinions orally, in writing or pictorially, and all citizens are deemed to be equal in regard to their public rights and obligations and their entitlement to enjoy social welfare and security in the event of sickness, disability, unemployment, old age or the loss of their breadwinner;

(b) Under article 5 of the Code of Criminal Procedure, all citizens are equal before the law and it is prohibited to harass or harm any person because of his nationality, race, origin, language, belief, occupation, educational level or social status. Article 42 of the Labour Act emphasizes that women are on an equal footing with men in regard to their terms of employment, their job-related rights and obligations and their working conditions, without any discrimination. Other legislative enactments also prohibit discrimination among citizens on grounds of their colour, sex or religion.

2. The right to life, survival and development

10. Article 6 of the Convention stipulates that every child's inherent right to life must be recognized and the States parties must ensure to the maximum extent possible the survival and development of the child. The Yemeni legislature has endeavoured to establish and consolidate this right in article 30 of the Constitution, in which reference is made to the need to protect and cater for the welfare of mothers and children.

11. Under article 230 of the Penal Code, a newborn child is regarded as a person with human rights, provided that he or she is born live, regardless of whether the circulatory system is functioning in all or part of the child's body, regardless of whether the umbilical cord has or has not been cut, and regardless of whether the child's life begins with the crying, sneezing, breathing or movement indicative of life. The duration of the mother's pregnancy is also covered by this Code, articles 239 and 240 of which refer to offences relating to abortion. Anyone who deliberately causes a woman to have

a miscarriage without her consent is deemed to have committed an offence punishable by payment of the blood money for a foetus, which amounts to half the normal blood money, if her foetus is aborted or dies in her womb. If the foetus is born live and subsequently dies, the full blood money is payable and the offender is also liable to a corrective penalty and payment of damages in respect of the harm caused to the woman and her foetus. If an abortion takes place with the woman's consent, the offender is held liable for blood money in accordance with the above-mentioned conditions but the woman is not entitled to any compensation, regardless of the extent of the harm caused to her, other than the blood money for accidental homicide. If a woman provokes her own abortion, she is liable for the blood money. No penalty is imposed on anyone if a medical practitioner decided that the abortion was necessary in order to safeguard the mother's life.

12. Articles 128, 129, 130, 131 and 132 of the Personal Status Act make provision for protection of the child and of his or her right to life, survival and development. The shortest period of pregnancy is deemed to be six months and the longest nine months, subject to evidence of its continuity as attested by a competent physician. If the woman is delivered and claims to be still carrying another foetus, provided that there is evidence of her veracity and that her claim is corroborated by a competent physician, her spouse must protect and care for the child in such a way as to safeguard the child's life, survival and development.

13. Article 38 of the Civil Code stipulates that the personality of a human being begins when he or she is born live and ends at his or her death. However, a foetus also has legally recognized rights.

14. The need to ensure the survival and development of the child is reflected in the legislation in force in the State. For example, in article 30 of the Maternal and Child Welfare Act, the welfare of infants and children is defined as their physical and mental development during the early years of their life. Under the Personal Status Act, the mother has an obligation to breastfeed her child or, if this proves impossible, to have the child breastfed by another woman in return for remuneration (art. 136). Under the terms of this Act, the father also has an obligation to maintain the child, provided that he is wealthy or capable of earning a living. If he is indigent or incapable of earning a living, the responsibility for maintenance devolves on the mother and, after her, on other wealthy relatives, depending on their degree of kinship under the rules of inheritance, who are required to provide the child with food, clothing, accommodation and medical treatment (arts. 149 and 158).

3. Respect for the views of the child

15. Yemeni laws and legislation, including the Press and Publications Act, recognize the rights of citizens, including children, to participate in political, economic, social and cultural life and protect their freedom of thought and their freedom to express their opinion and seek information in a manner consistent with public order, public morality and respect for the rights of others. The principal method of expression of the views of the child is deemed to be through drawing and school activities.

4. Civil rights and freedoms

16. The Yemeni legislation in force recognizes these rights in accordance with the following principles:

17. Name and identity. Articles 7 and 8 of the Convention are reflected in Yemen's national legislation, as illustrated by articles 38, 39, 40, 46 and 50 of the Civil Code, which stipulate that the personality of a human being begins when he or she is born live and ends at his or her death, births and deaths being entered in the official legal registers in which everyone is identified by a distinctive name and patronymic or surname.

18. Articles 20, 21, 23, 25, 26, 27, 29 and 30 of the Civil Status and Civil Registration Act stipulate that the child's birth must be registered by notifying the Civil Status Department within 60 days from his or her date of birth. Foundlings must be immediately handed over to a welfare institution or children's home. On arrival at the first port in the Republic of Yemen or at any of its consulates, the child is issued with a birth certificate. The procedures for registration are as follows:

(a) In the case of children of known parentage, all their particulars, as well as those of their parents, are registered;

(b) In the case of foundlings of unknown parentage, the details of the child are registered and the Director of Personal Status gives the child a full name under which the child is entered in the register of births, without mentioning the fact that he or she was a foundling. The column in which the particulars of the parents are normally entered is left blank unless one of the parents acknowledges paternity or motherhood;

(c) In the case of illegitimate children, neither the name of the father nor the mother may be mentioned if the parents are within the prohibited degrees of kinship which exclude marriage. The mother's name is not mentioned if she was married and her husband was not the father of the child. Likewise, the father's name is not mentioned if he was married and the child was not born to his legal spouse, unless the child was born before the marriage or after its annulment in the case of adherents of a religion which does not permit polygamy.

19. Nationality. Article 3 of the Yemeni Nationality Act guarantees some of the rights of the child by preserving the child's identity in the following cases:

(a) Anyone born to a father who holds Yemeni nationality;

(b) Anyone born in Yemen to a mother holding Yemeni nationality and a father who is stateless or of unknown nationality;

(c) Anyone born in Yemen to a mother holding Yemeni nationality and a father whose paternity of the child has not been legally established;

(d) Anyone born in Yemen to unknown parents, any foundling discovered in Yemen being deemed to have been born therein and to be entitled to Yemeni nationality failing proof to the contrary;

(e) Any expatriate holding Yemeni nationality on his departure from the national territory who has not relinquished that nationality in accordance with the law and at his explicit request, even if he has acquired the nationality of the country of his residence under its laws. The law recognizes the rights of a child whose mother, although holding Yemeni nationality, is married to a non-Yemeni, by granting the child Yemeni nationality as his or her birthright.

Article 49 of the Personal Status Act stipulates that, on reaching the age of 16 years, every national of the Republic of Yemen must be issued with a personal identity card or a family identity card if he marries and has children.

20. Freedom of thought and religion, freedom of expression and freedom to seek, receive and impart information. With regard to these freedoms recognized in articles 13 and 14 of the Convention, articles 40 and 41 of the Constitution of the Republic of Yemen stipulate that all citizens are equal in regard to their public rights and obligations and every citizen has the right to participate in political, economic, social and cultural life, to which end the State guarantees freedom of thought and freedom to express opinion, orally, in writing or pictorially, within the limits of the law. Article 3 of the Press and Publications Act also recognizes freedom of expression and communication and freedom to receive information, which it regards as a fundamental right of all citizens, including children. Furthermore, the Press and Publications Act recognizes freedom to seek knowledge and ideas, which it regards as a right of citizens, in order to enable them to express their views either orally, in writing, pictorially, in the form of art or through any other media. No distinction is made between children and adults in this regard.

21. The Yemeni legislature has linked the requirements of article 14 of the Convention on the Rights of the Child to respect for divinely revealed religion. Articles 2 and 3 of the country's Constitution stipulate that the Islamic Shari'a is the source of all legislation in the Republic of Yemen, while article 103 prohibits the publication of certain material, particularly if it violates the lofty principles of the Islamic faith or disparages other divinely revealed religions or human beliefs such as Judaism and Christianity.

5. Freedom of association and freedom of peaceful assembly

22. Under article 57 of the Constitution of the Republic of Yemen, citizens throughout the Republic enjoy the right, in a manner consistent with the provisions of the Constitution, to organize themselves in the political, professional and trade-union fields and to form occupational, cultural and social organizations and national federations in such a way as to further the aims of the Constitution. The State is taking all the measures needed to enable its citizens to exercise this guaranteed right. Article 40 of the

Yemeni Constitution stipulates that all citizens are equal in regard to their public rights and obligations, without any distinction between children and adults.

23. Under the Establishment of Associations Act of 1963, any group of citizens has the right to form such associations or federations in accordance with the terms of the Act. Accordingly, children are permitted to establish their own associations.

6. The right to privacy

24. Articles 47 and 52 of the Yemeni Constitution stipulate that all citizens are on an equal footing in regard to their rights and obligations and must be protected from subjection to any arbitrary or unlawful interference with their privacy, family, home, correspondence or communications.

25. These rights are recognized in the Penal Code, under which it is a punishable offence to invade a person's privacy, to threaten to divulge personal confidential matters, to violate the privacy of homes or correspondence, to restrict freedoms in an unlawful manner, to in any way threaten to commit a harmful act in order to frighten the threatened person or any of his relatives, to eavesdrop on, or to use any device to record or transmit, conversations that take place in a private place or by telephone, or to use any device to take or transmit a photograph of any person in a public place, unless this is done at a public gathering with the full knowledge and presumed consent of the persons participating therein. Under articles 246, 253, 254, 255, 256 and 257 of the Public Rights Act, no one may be subjected to torture or other forms of cruel, inhuman or degrading treatment or punishment. Under articles 8, 14 and 37 of the Juveniles Act, children also enjoy these rights as set forth in the legislative enactments concerned.

26. In general, the Penal Code makes it a criminal offence to compel anyone to confess to a crime or to make statements or provide information relating thereto. The same applies to any unlawful restriction of liberty or resort to the use of force. Under articles 166, 167 and 168 of the Code, it is a criminal offence for any public official to commit or order the commission of such acts during the discharge of his duty by, for example, using torture, force or threats in order to induce a suspect to confess to a crime or compel a witness or make statements or provide information. It is likewise a criminal offence to inflict or order the infliction of a penalty more severe than that to which the convicted person has been sentenced or, in the case of an official responsible for the implementation of orders, to refuse to implement an order for the release of a prisoner or to deliberately keep him in the penal institution after he has served his sentence. Furthermore, it is a criminal offence to abuse authority by unlawfully treating people in a harsh, dishonourable or physically painful manner. Under article 247 of the Code, it is a criminal offence for any person to unlawfully prepare, lend, rent, or provide premises for the purpose of imprisonment or detention, regardless of whether or not he participated in the arrest, imprisonment or detention.

27. Article 47 of the Constitution of the Republic of Yemen stipulates that no one may be placed under surveillance or investigated except as provided by law. The dignity of supporters of any political ideology must be safeguarded and it is prohibited to subject anyone to physical, psychological or mental torture or to force anyone to make a confession during an investigation. Torture and inhuman treatment are likewise prohibited at the time of arrest and during the period of detention or imprisonment. This article helps female prisoners who are obliged to keep their infant or young children with them by ensuring that they are not subjected to forms of torture that would be psychologically harmful to their children or expose them to future behavioural disorders.

7. Protection of working children

28. Articles 28 and 29 of the Constitution stipulate that work is a right, an honour and a necessity for the development of society. Every citizen has the right to engage in the type of work that he chooses for himself, within the limits of the law, and no work may be forcibly imposed on citizens except as provided by law or in performance of a public service in return for fair remuneration. Trade-union and professional activities and relations between workers and employers are regulated by law.

29. However, a 1994 survey showed that children in the age group 10-14 years were working in sectors subject to the provisions of the Civil Service Act. The fact that children formed 1 per cent of the workforce in the State's administrative agencies and 0.1 per cent in the mixed sector indicates lax enforcement of the civil service legislation.

30. Under article 22 of the Civil Service Act and its Implementing Regulations, candidates for public office must be over 18 years of age, which may be reduced to 16 years of age in the case of posts and occupations which require special instruction at training institutes or centres or at places of work specified by the Ministry for the Civil Service and Administrative Reform. In every case, age must be proved by a birth certificate or a certificate issued by the competent medical board.

31. In keeping with international principles concerning human, civil and political rights and with the Convention on the Rights of the Child and the international and Arab labour standards concerning the employment of children, Yemeni law embodies constitutional and legal guarantees which take into account the physical capacities of working children and protect their safety, their morality and their physical, mental, spiritual, moral and social development.

32. The Trade-Union and Professional Activities Act, which regulates relations between workers and employers outside the public service sector, makes provision for similar obligatory safeguards and equal rights without discrimination on grounds of sex, age, race, colour, belief or language.

(a) Employment of young persons

33. Article 2 of the Labour Act No. 5 of 1995 defines a "child" as any male or female under 15 years of age. Although the Act does not explicitly specify

a minimum age for employment, it requires the Minister for Social Security, Social Affairs and Labour to issue directives specifying the regulations and procedures for the employment of children, defining their terms and conditions of employment and designating the activities, occupations and industries in which they can be employed (art. 17). These directives were incorporated in the Labour Council's plan for 1997. Under the Labour Act No. 5 of 1995, young persons in employment enjoy all the rights granted to ordinary workers, in addition to extra privileges by virtue of the special nature of their legal status and the protection accorded to them. Article 1 of the Act defines a young person in employment as anyone working under the supervision of an employer, even far away from his peers, in return for a wage in accordance with a written or unwritten contract. This applies to men, women, young persons and anyone undergoing training. Articles 52 and 53 of the Labour Act emphasize the importance of the employer's obligation to pay the young person, in respect of the work that he performs, a fair wage comparable to that paid to adults working in similar occupations. In every case, the said wage must not be less than two thirds of the minimum wage payable to persons working in the same occupation and must be handed to the young person himself. These provisions do not apply to persons working in their own family circle and under the supervision of relatives.

34. The Labour Act devotes an entire section (arts. 48-53) to the regulation of the employment of young persons. It covers their terms and conditions of employment and their working hours, makes provision for their protection and prohibits the employment of children and young persons in heavy work, in hazardous industries and in socially dangerous occupations and remote and undeveloped locations.

35. The Act permits the employment of children only with the approval of their guardians and after the competent labour office has been notified. It stresses the need for children to be medically examined before employment, in order to ensure their medical fitness and development, and for the provision of a healthy and safe working environment for working children. Such working children must also undergo a periodic medical examination in order to ensure their ongoing fitness for work. It is prohibited to employ children on overtime, on night work or on official or weekly holidays in any circumstances whatsoever.

36. Under the Labour Act, every employer employing children on his premises must follow a number of rules and procedures laid down in article 51 of the Act, including the following:

(a) He must maintain a register showing the social and occupational status, names, addresses, ages, guardians and dates of entry into service of the working children, as well as any other details required by the Ministry of Social Security, Social Affairs and Labour;

(b) He must have these children medically examined before employing them and periodically thereafter and also whenever necessary in order to ensure their medical fitness. A health file must be opened for every working child;

(c) The rules governing the employment of children and the privileges accorded to them under the Labour Act and its Implementing Regulations must be posted in a prominent place on his premises.

37. In order to ensure the implementation of these principles, penalties were prescribed for employers who violated the provisions concerning the employment and protection of young persons (arts. 48-52 of the Labour Act). The fines ranged from 1,000 to 20,000 rials. In order to provide further protection for the rights of young persons, Act No. 25 of 1997 amended some of the articles of the Labour Act No. 5 of 1995 by increasing the fines to 5,000-20,000 rials, in addition to the imposition of a penalty of up to three months' imprisonment, without prejudice to any more severe penalty. In this connection, the Act should have imposed a criminal penalty on employers who violate these provisions. Moreover, under the terms of the new Labour Act, an employer who employed a young person in a manner contrary to the Act was not obliged to pay him the agreed wage or to compensate him if he suffered an occupational injury, even if it were due to negligence.

38. Accordingly, in 1996 the Ministry of Social Security, Social Affairs and Labour took legal steps to rectify that situation by issuing a directive containing a list of violations and penalties to be imposed on persons who infringed the Labour Act. Some of the provisions of that directive related to the rules governing the employment of children. It is noteworthy that the Ministry of Labour and Vocational Training is currently endeavouring to amend the above-mentioned list of violations and penalties in a manner consistent with the penalties and sanctions prescribed in the new amendments to the Labour Act.

39. In this connection, the Government has also endeavoured to coordinate with some non-governmental organizations concerned with children with a view to beginning the preparation of a field study, funded by the Swedish organization Rädda Barnen, on the employment of children in the Republic of Yemen. A number of specialists from the Ministry of Social Security, Social Affairs and Labour, the Ministry of Planning and Sana'a University were assigned to prepare this study.

40. Since 1996, the Ministry of Social Security, Social Affairs and Labour exchanged a number of notes and other correspondence with the International Labour Organization on this subject with a view to the dispatch of an ILO committee in March 1997 to study the employment of children. This constituted an excellent beginning for fruitful cooperation between the Yemeni Government and the International Labour Organization, particularly since the latter willingly agreed to offer support and cooperation to curb the phenomenon of child labour and devise ways to implement special projects in this field within the framework of cooperation to combat poverty. In furtherance of those endeavours, the Ministry of Labour and Vocational Training is organizing, in collaboration with the International Labour Organization, UNICEF and the World Health Organization, a country seminar on measures to curb the phenomenon of child labour in the Republic of Yemen. This seminar, to be held at Sana'a from 6 to 8 October 1998, will be attended by representatives of a number of governmental, non-governmental and international organizations concerned with child labour and will discuss

several working papers on various aspects of this phenomenon with a view to the joint formulation of a strategy for future action to curb it.

41. It is difficult to compile adequate and realistic data and statistics concerning the employment of children and to determine the occupations in which they are working in view of the absence of a database not only on the employment of children but also on the labour force in general. Hopes are currently being pinned on a project for the establishment of a labour force database to be compiled by Yemen in collaboration with the International Labour Office in 1997.

42. The lack of data is attributable to the poor performance of the bodies concerned with employment, the absence of employment offices at the local level, the lack of coordination between employment policies and labour force plans and programmes, and the lack of coordination between the bodies responsible for the employment of manpower and the labour inspectorate.

43. The Government is hoping to rectify those shortcomings, provided that it receives the assistance required to take the necessary measures including, in particular, improvement of the institutional performance of the bodies concerned with employment and labour inspection at the national and local levels in order to ensure appropriate implementation of the Act, the provision of effective protection for working children, activation of the role of the bodies concerned with employment and manpower planning, enrichment of human resources and gradual expansion of the scope of economic and social measures to alleviate poverty and ensure an increase in the level of family income.

44. To this end, adequate educational and training facilities must be made available to curb the phenomenon of child labour. Consideration must also be given to the formulation of a plan to protect and support working children, supplement the legislation regulating the implementation of the Act, remedy the existing discrepancies between the provisions of the Act and the extent to which they are applied, and monitor its implementation in regard to the employment of children.

(b) Employment of disabled persons

45. Article 23 of the Convention emphasizes the special needs of mentally or physically disabled children. Our national legislation embodies these provisions in a number of enactments and directives.

46. Article 24 of the Civil Service Act indicates that each administrative unit in the State institutions should employ a specific quota of disabled persons, to be determined by the Ministry, in posts compatible with their capabilities. The Council of Ministers Decision No. 215, concerning the employment of disabled persons, places State institutions under an obligation to employ disabled persons, in keeping with the Civil Service trends in this regard, pursuant to the policy and philosophy of integrating disabled persons in society and promoting their contribution to socio-economic development.

47. Article 15 of the Labour Act stipulates that, whenever possible, employers should employ disabled persons nominated by the Ministry of Social Affairs and Labour or its offices, in a ratio of up to 5 per cent of their

total labour force, in jobs and occupations consistent with their capabilities and their potential, in such a way as to enable them to enjoy all the rights granted under the Labour Act.

(c) Specification of working hours and rest and holiday periods for young persons

48. Articles 48 and 50 of the Labour Act stipulate that the working hours of a young person should not exceed 42 hours per week, distributed over a six-day period, and it is prohibited to employ young persons on overtime or night work except in certain occupations specified by the Minister for Social Security, Social Affairs and Labour. Young persons must also be trained during their daily working hours, such training time being calculated as part of the official working hours. However, Act No. 25 of 1997, which amended some articles of the Labour Act No. 5 of 1995, abolished the above-mentioned article 48 specifying the working hours of young persons, as a result of which the working hours of adults, amounting to not more than 48 hours per week, now apply to working children. This places children at great risk.

49. Young persons must not be required to work during weekly rest periods or official or other holidays. In addition to the rest periods specified in those articles, young persons are entitled to 30 days' annual holiday in respect of each year of actual service, calculated at a rate of two and a half days per month of service, and neither the young person nor his guardian are permitted to forego all or part of this annual holiday even in return for compensation. The purpose of this stipulation is to safeguard the physical and mental health of the young person and enable him to perform his work in a manner compatible with the provisions of these articles, under which young persons can be employed only on the most favourable terms and conditions.

50. Although those provisions do not apply to young persons working in their family circle under the supervision of relatives, article 53 of the Labour Act stipulates that such work is subject to appropriate health and social conditions.

51. It should be noted that wage-earning employment of children outside their family circle is a new phenomenon in Yemeni society, being linked to the deteriorating economic situation during the current stage through which Yemen is passing, and the following measures need to be taken in order to deal with that phenomenon:

(a) Improvement of the institutional performance of inspection bodies at the local and central levels;

(b) Strengthening of the role of the labour inspectorate in order to ensure proper implementation of the rules governing employment;

(c) Invigoration of the role of planning bodies concerned with the employment of Yemeni manpower, and gradual expansion of the scope of the socio-economic measures designed to reduce poverty and ensure a higher level of family income;

(d) Provision of adequate educational and training facilities to curb the phenomenon of child labour;

(e) Rectification of the existing discrepancies between the Act and the extent to which it is applied by dealing with the numerous ways in which employers breach the provisions of the Labour Act concerning the employment of children in view of the negligence and lack of control and inspection by the Ministry of Labour and Vocational Training due to the lack of resources allocated for inspection.

C. Family environment and alternative care

1. Family unity

52. With regard to the principles concerning the family, which are consistent with the Convention on the Rights of the Child, article 26 of the Constitution of the Republic of Yemen stipulates that "the family, which is rooted in religion, morality and patriotism, is the cornerstone of society and the law shall protect its structure and strengthen its ties".

53. The Personal Status Act regulates all family matters from the time when the family is formed through betrothal and marriage, including the fruits of that relationship between the spouses and their consequent parental responsibilities, rights and obligations towards their children, particularly infant children.

2. Child maintenance and its collection

54. The question of child maintenance is regulated by the Personal Status Act and the Pensions Act.

55. Article 158 of the Personal Status Act stipulates that the maintenance of an indigent infant or minor child is payable by the child's father, provided that he is wealthy or capable of earning a living. If he is indigent and incapable of earning a living, the responsibility for maintenance devolves on the mother, if she is wealthy, and, after her, on other wealthy relatives, depending on their degree of kinship under the rules of inheritance. If there are numerous wealthy heirs, they are jointly responsible for the payment of maintenance, each in accordance with his share of the inheritance.

56. Under the terms of article 292 of the Code of Criminal Procedure, the monthly child maintenance is determined by the court and paid from the income arising from the property and rights of the person accused of failing to pay maintenance in respect of any person whom he was previously obliged to support. If the child possesses property and is therefore deemed to be wealthy while the father and mother are indigent, under article 161 of the Personal Status Act they must be maintained from the property of the child. In the event of the death of a wealthy person, whether male or female, young or old, his inheritance is divided among his next of kin in accordance with the rules of inheritance. Maintenance of the mother, and subsequently of the father, takes precedence over the maintenance of other relatives.

57. With regard to pensions and separation-from-service benefits, the Pensions Act and the Retirement Benefits on Separation from Civil or Military Service Act stipulate that pensions and benefits are payable, in equal shares, to the persons whom the insured or retired person was supporting at the time of his death. The payment of such entitlements ceases on the death of the beneficiaries and in the following circumstances:

(a) In the case of males, when they begin working, when they reach the age of 18 years if they are not studying, when they reach the age of 21 years if they are studying at the secondary level, or when they reach the age of 26 years if they are studying at university level. This does not apply to persons whom the competent medical board has certified as being incapacitated for work.

(b) In the case of females, when they marry or enter employment from which they earn a wage that disqualifies them from receiving further benefits in respect of their deceased spouse. In the event of subsequent divorce, they recover their entitlement to benefits on the expiration of the legally stipulated waiting period before remarriage becomes permissible.

3. Adoption

58. The Personal Status Act regulates the question of the transfer of custody between relatives, if such is requested for any reason acceptable to the judge, in accordance with the conditions of custody. Although the situation of foundlings, children of unknown parentage and orphans without relatives has not been regulated, the current practice is for adoption to take place through the court with the approval of the institution in which the child is living. It is noteworthy that, as stipulated in article 135 of the Act, adoption does not establish links of kinship for persons of unknown parentage and adopted children have no right to inherit from their deceased adoptive parent, who can endow them, by bequest, with no more than one third of his estate.

4. Custody of a child whose mother is married to a person other than the child's father

59. The Personal Status Act regulates the situation of children whose mother is married to a person other than their father. Article 141 of the Act stipulates that the mother has a greater right to custody of her child, provided that she is found fit to undertake that custody. She cannot forfeit her right to custody unless another person agrees to accept custody, which is one of the child's rights, and her husband cannot prevent her from exercising her right. Even if she is of disreputable character, this does not preclude her right to custody until the child reaches the age of five years. As a general rule, article 139 limits the duration of custody to 9 years of age in the case of males and 12 years of age in the case of females unless the judge decides otherwise in the interests of the child. This means that the mother has the right to keep her children during the period of custody. She is not permitted to relinquish custody before the child reaches the age of five years, after which the child has the right to choose the parent with whom he or she wishes to live.

5. Institutional care

60. The Yemeni legislature has regulated institutional care in article 105 of the Penal Code, which stipulates that: "If the judge finds that, at the time of the commission of an offence, the person accused thereof was unable to distinguish right from wrong due to a mental disorder, he shall order the said person's placement in an institution for the treatment of mental disorders." Under the same article, the institution is required to report to the judge on the patient's condition at periodic intervals not exceeding six months and, after seeking the opinion and approval of the competent medical authority, the judge may decide to order his release or his delivery into the custody of a relative capable of providing him with care and protection.

61. At the request of the Department of Public Prosecutions or the persons concerned, and after seeking the opinion of the competent medical authority, the judge may order his readmission to the institution for further treatment if circumstances so require.

62. Article 36 of the Juvenile Welfare Act makes provision for the following penalties and measures against juvenile offenders:

(a) Placement in a juvenile rehabilitation and welfare centre run by the Ministry of Social Security and Social Affairs or in another legally approved institution (handicapped juveniles being placed in an appropriate rehabilitation centre) for a period not exceeding 10 years if they commit serious offences, 3 years if they commit minor offences and 1 year in the case of potential delinquency. The institution in which such juveniles are placed must submit a report to the court on their behaviour at intervals not exceeding six months;

(b) Placement in a specialized hospital in which the juvenile can receive the requisite care. The court monitors his need for ongoing treatment at periodic intervals not exceeding one year, during which medical reports are submitted to the court, which may order his release if his condition so permits. On reaching the age of 15 years, the juvenile is transferred to a specialized hospital for the treatment of adults if his condition necessitates further treatment.

II. SOCIAL WELFARE AND PROTECTION

A. Social security

63. Under article 55 of the Constitution, the State undertakes to provide social security for all citizens in the event of sickness, disability, unemployment, old age or loss of their source of support. This policy is reflected in a number of legislative instruments, including:

The Insurance and Pensions Act No. 25 of 1991.

The Pensions and Benefits for the Armed and Security Forces Act No. 32 of 1992.

The Social Insurance Act No. 26 of 1991.

64. The first two above-mentioned Acts apply to all persons working in the public sector, while the Social Insurance Act No. 26 applies to persons working in the private sector. Under the terms of the Social Security Act No. 2 of 1980, as amended by the Social Welfare Act No. 31 of 1996, persons who lose their source of support are granted welfare benefits, particularly if they fall within the category of persons entitled to the services available for widows with young or minor children in accordance with the terms and conditions laid down in the Act.

B. Special protection measures

65. Through its legislation, the Republic of Yemen has endeavoured to take the measures needed to protect children in the following manner.

1. Children in emergency situations

66. The Republic of Yemen experienced a state of emergency when war was declared on 5 May 1994 by Presidential Decree No. 20 of 1994. That war resulted in the displacement of many families from the areas of conflict and children constituted the most vulnerable category in those areas. The State endeavoured to tackle that problem by appealing to local civilian and international organizations to assist the stricken families and, in particular, their children.

(a) Refugee children

67. The Yemeni legislature has endeavoured to provide protection in accordance with article 45 of the Constitution of the Republic of Yemen, under which the extradition of political refugees is prohibited. This protection is also enjoyed by persons related to them, including children. With regard to displaced victims of armed conflicts, and particularly refugees fleeing from civil wars in neighbouring States such as Somalia, the Yemeni Government, acting in cooperation and coordination with international organizations, is caring for them and their children and making provision for their stay in the country.

(b) Children in armed conflict

68. In article 6 of the Constitution of the Republic of Yemen, the State affirmed its adherence to the Charter of the United Nations, the Universal Declaration of Human Rights, the Pact of the League of Arab States and the generally recognized rules of international law, thereby confirming its commitment to the welfare of children who are victims of conflicts. In accordance with that constitutional affirmation, Yemen has an obligation to comply with the Geneva Conventions concerning the following aspects of human rights:

(a) Amelioration of the condition of the wounded and sick in armed forces in the field;

(b) Amelioration of the condition of wounded, sick and shipwrecked members of armed forces at sea;

(c) Treatment of prisoners of war;

(d) Protection of civilian persons in time of war;

69. Articles 2 and 3 of the Compulsory National Service (Defence) Act stipulate that every male citizen over 18 years of age has an obligation to perform military service. However, article 8 of the Act grants full exemption from national military service to certain categories of persons, even if they are over 18 years of age. These exempted categories are: fathers of three or more children and persons supporting brothers and sisters who are found to have no other source of support.

70. Article 4 of the General Reserve Act stipulates that the general military reserve consists of male citizens between 18 and 50 years of age, thereby excluding children.

2. Children in conflict with the law

(a) Child offenders

71. In accordance with the guidelines concerning the Convention on the Rights of the Child, we wish to draw attention to the following points.

72. Article 49 of the Judicial Authority Act makes provision for the establishment of juvenile courts of first instance and the regulation of their composition, competence and procedure. Accordingly, the legislature promulgated the Juveniles Act, article 8 of which stipulated that the Department of Public Prosecutions was responsible for the examination and handling of juvenile cases. The same article also stipulated that, during the interrogation and examination, the examiner must show due regard for the age of the juvenile, the gravity of the act of which he is accused, his physical, mental and psychological condition, and the circumstances in which he was raised.

73. Under article 11 of the Juveniles Act, it is prohibited to detain a juvenile under 12 years of age in a police station or other security establishment. His legal or testamentary guardian or another trustworthy person must stand surety for him, failing which he must be placed in the nearest juvenile rehabilitation and welfare centre for a period not exceeding 24 hours. If his release poses a threat to himself or to others, he must be referred to the Department of Public Prosecutions for consideration of his case. Juveniles over 12 years of age may be detained in a police station for up to 24 hours, provided that they are kept in a special place which precludes their mixing with other older detainees. If the offence with which the juvenile is charged necessitates his remand in custody, article 12 permits his confinement in a juvenile rehabilitation and welfare centre, by order of the Department of Public Prosecutions, for a period of up to one week.

74. Article 13 of the Act stipulates that juvenile cases must be regarded as urgent cases for which the Act specifies rules of procedure designed to protect juveniles, as well as the measures and penalties to which they are subject.

75. Article 15 of the Act makes provision for the establishment of juvenile courts in each governorate of the Republic by order of the Council of the Judiciary based on a proposal from the Minister of Justice.

76. In fact, a juvenile court, consisting of a president and five judges, has been established in the governorate of Aden under the terms of Decree No. 11 of 1996 promulgated by the President of the Republic and the Chairman of the Higher Council of the Judiciary.

77. Every court of first instance in the Republic is also competent to hear juvenile cases, such as cases involving child maintenance and custody, and to hand down judgements therein.

78. Under article 15 of the Juveniles Act, the Higher Council of the Judiciary is empowered to vest a court of first instance in each governorate with exclusive competence to exercise the functions of a juvenile court if such a court cannot be established due to the small number of juvenile cases in the governorate concerned.

(b) Children deprived of their liberty

79. Juveniles over 12 years of age can be held at a police station for up to 24 hours, after which they must be placed in a rehabilitation and welfare centre by order of the Department of Public Prosecutions or the court. Under article 29 of the Juveniles Act, it is prohibited to mix male and female juveniles in a single rehabilitation and welfare centre, during the period of interrogation and examination by the Department of Public Prosecutions, in the court or while they are serving their sentences.

80. Article 35 of the Juveniles Act stipulates that sentences imposed on juveniles must be served in places in which they are isolated from adults within the penal institution. The prison administration receives all convicts through the Department of Prisons in accordance with the Prisons Regulatory Act.

81. Article 32 of this Act stipulates that a place known as an admission centre, in which incoming prisoners are interviewed, must be established in every prison. During their confinement, first-time offenders are isolated from prisoners who have previously been convicted of serious offences, foreigners are isolated from Yemeni prisoners, juveniles are isolated from adult prisoners and female prisoners are isolated from male prisoners.

82. However, since separate premises have not yet been established for female juveniles, the latter are currently held in women's prisons, which might pose a threat to their future social behaviour. The Government must therefore take urgent measures to solve this problem, which the competent authorities are already studying.

(c) Penalties

83. Article 36 of the Juveniles Act stipulates that a juvenile under 10 years of age who commits an offence punishable under the Penal Code

cannot be sentenced to the penalty prescribed therefor. A juvenile can be sentenced only to one of the following measures:

(a) A reprimand, rebuke or censure from the court for his conduct and a warning not to engage in such conduct again;

(b) Delivery into the custody of a parent or a person exercising the right of legal or testamentary guardianship. In the absence of anyone willing to assume this responsibility, the juvenile is delivered into the custody of a member of his family or any trustworthy person who undertakes to bring him up, or into the custody of a reliable family willing to undertake responsibility for his upbringing;

(c) Enrolment for vocational training in a specialized centre or an industrial, commercial or agricultural enterprise willing to train him for a period not exceeding three years;

(d) Imposition of specific obligations and prohibition of the frequentation of specific places. This measure is taken for a period of not less than six months and not more than three years;

(e) Judicial probation, i.e. the juvenile is not permitted to live in his natural family environment and remains subject to guidance, supervision and other obligations specified by the court for a period of up to three years. If this measure fails, he is brought before the court, which can impose any other measures that it deems appropriate;

(f) Placement in a juvenile rehabilitation and welfare centre or, in the case of handicapped juveniles, in a rehabilitation centre, under the terms of a court order. The duration of such placement must not exceed 10 years in the case of serious offences, 3 years in the case of minor offences and 1 year in the case of potential delinquency. The centre must submit a report on the juvenile's condition and behaviour at six-monthly intervals so that the court can take an appropriate decision in the light thereof;

(g) Placement in a specialized hospital in which the juvenile can receive the care that his condition requires under the supervision of the court. On reaching the age of 15 years, juveniles whose condition requires further treatment are transferred to a specialized hospital for the treatment of adults. Article 37 of the Juveniles Act stipulates that a juvenile under 15 years of age who commits an offence punishable by the death penalty is liable to a penalty of not less than 10 years' imprisonment. In the case of other offences committed while he is in full possession of his mental faculties, he is liable to not more than one third of the maximum penalty prescribed for the offence.

84. Under article 38, a juvenile who commits two or more offences is liable to a single appropriate measure. If so requested by the Department of Public Prosecutions, the court is empowered to postpone the juvenile's transfer from a juvenile rehabilitation and welfare centre to a prison in order to enable him to complete the vocational training that he has begun.

85. Article 31 of the Penal Code stipulates that a person who was under seven years of age at the time of his commission of an act constituting an offence cannot be prosecuted therefor. In the case of a juvenile offender over 7 but under 15 years of age, instead of the prescribed penalty the judge can impose only one of the measures provided for in the Juveniles Act. In the case of offenders over 15 but under 18 years of age, the sentence imposed cannot exceed half of the maximum legally prescribed penalty, the death penalty being commuted to a term of 3-10 years' imprisonment. In all cases, the prison sentence is served in special places in which the convicted person is treated in an appropriate manner. Persons who commit an offence while under the age of 18 are not held fully criminally responsible for their acts.

86. A careful study of the prescribed penalties shows that the Yemeni legislature amended the penalties stipulated in the Juveniles Act of 1992 and the Penal Code of 1994, which are pending ratification by the House of Representatives but are nevertheless being applied under the terms of the Constitution.

3. Protection of children from exploitation

87. Within the overall framework of Yemeni law and legislation, care is taken to protect children from exploitation. The Labour Act grants children the right to work and to benefit from employment opportunities under special terms and conditions, which effectively ensure that they will not be exploited. The general provisions of the Social Assistance Act also cater for the psychological and material welfare of families, and particularly of children, in order to protect them from need, destitution and economic exploitation.

88. The programmes of the Social Security network and the Social Welfare Fund illustrate some of the Government's principal strategies and policies, the short- and long-term objectives of which are to improve the living conditions of poverty-stricken families and prevent children from becoming victims of their families' unfortunate economic circumstances.

(a) Drug abuse

89. The Penal Code in general, and the Narcotic and Psychotropic Substances Act in particular, prescribe penalties for the use of such substances. All intoxicants, of any type whatsoever, are prohibited, regardless of the quantity that needs to be absorbed to ensure intoxication. The Prevention of Illicit Traffic in, and Use of, Narcotic and Psychotropic Substances Act makes it a punishable offence to use or traffic in such substances unless they are required for medical or scientific purposes, in which case they can be used subject to the issue of a licence by the Ministry of Public Health specifying the manner in which they may be used for medical or scientific laboratory purposes.

90. The Act also prohibits the cultivation and import of plants from which narcotic and psychotropic substances are extracted, except for purposes of study and scientific research which are permitted on certain conditions. It is prohibited to put these substances into general circulation or to permit their misuse, particularly by young persons on whom they might have adverse health, psychological and social effects.

(b) Sexual exploitation and sexual abuse

91. Yemeni law prohibits sexual exploitation and sexual abuse, which are punishable offences. The legal provisions relating to such matters are illustrated by the following:

(a) Pandering. Under article 280 of the Penal Code it is an offence, punishable by a term of up to 15 years' imprisonment, for anyone to allow his wife, any of his close female relatives or any female under his guardianship or tutelage to engage in prostitution. Repeated offenders are liable to the death penalty. Any woman who permits her daughters to engage in prostitution is likewise liable to the same penalty;

(b) Procurement. Under article 279 of the Penal Code, anyone who incites another person to engage in an act of debauchery or immorality is liable to a penalty of up to three years' imprisonment. If such incitement actually leads to the commission of the act, the penalty is a term of up to seven years' imprisonment. If the person incited to engage in such an act is a young offender under 15 years of age or a child who depends for his or her livelihood on the acts of debauchery or prostitution to which he or she is incited, the penalty for such incitement can be as high as 10 years' imprisonment. If both circumstances are combined, i.e. incitement and commission of the act, the penalty for such incitement can be a term of up to 15 years' imprisonment;

(c) Debauchery and obscenity. Article 3 of the Juveniles Act stipulates that a juvenile who engages in acts of debauchery, obscenity or immorality, gambling or drug abuse, etc., or who assists persons engaged therein, is deemed to be delinquent and is liable to the penalties prescribed in the Act;

(d) Sexual abuse. Article 272 of the Penal Code prescribes a penalty of up to five years' imprisonment for anyone who, through force or deception, sexually abuses a female under 15 years of age, a male under 12 years of age or any person who is wholly or partly incapable of exercising discretion for any reason whatsoever. The same penalty applies if the offender is an ascendant of the victim or responsible for his or her upbringing;

(e) Rape. Article 269 designates sexual assault involving rape as a criminal offence punishable by the penalty prescribed in the Shari'a. If, for any reason, this penalty is not applicable, the offender is liable to a term of up to seven years' imprisonment. If the offence was committed by two or more persons, or if the offender was responsible for the supervision, protection, upbringing, custody or treatment of the victim, or if the offence caused the victim to suffer severe physical or health-related damage, or if the victim became pregnant as a result of the criminal act of rape, the penalty is a term of up to 15 years' imprisonment;

(f) Sale, traffic and abduction. Article 249 prescribes a penalty of up to five years' imprisonment for anyone who abducts another person. If the victim of the abduction is a female, a juvenile, insane or feeble-minded, or if the abduction is effected through the use of force, threats or deception, the penalty is a term of up to seven years' imprisonment. If the abduction is

accompanied or followed by bodily harm, assault or torture, the penalty is a term of up to 10 years' imprisonment without prejudice to the right to retribution, blood money or compensation, as appropriate, if such is warranted by the harm caused. If the abduction is accompanied or followed by murder, adultery, prohibited sexual assault or sodomy, the offender is liable to the death penalty. Article 251 prescribes a penalty of up to three months' imprisonment and a fine for anyone who refuses to hand over a young child or a minor to the person holding legal custody. This penalty does not apply if the abductor genuinely believed that he was entitled to legal custody or if he was holding a court judgement to that effect. However, if the child or minor was abducted by such a person after a court judgement awarded custody to another person, the penalty is a term of up to six months' imprisonment or payment of a fine. In addition, under article 252 of the Penal Code, anyone who abducts, conceals, substitutes or falsifies the parentage of a newborn child is liable to a term of up to five years' imprisonment;

(g) Sale. The sale of human beings is prohibited by law and anyone who owns another person is obliged to free him or her from servitude, since slavery is forbidden. This is in conformity with the provisions of the Convention on the Rights of the Child insofar as it directly affects the rights of children. Article 248 of the Penal Code prescribes a penalty of up to 10 years' imprisonment for anyone who:

(i) Buys, sells, gives away or otherwise disposes illegally of any person as a slave;

(ii) Causes a person to enter or leave the country with a view to trafficking in the said person.

4. Children belonging to a minority or an indigenous community

92. Although the Constitution stipulates that the Islamic Shari'a is the source of all Yemeni legislation, it also regards all citizens as equal in regard to their public rights and obligations and indicates that the State shall ensure equal opportunities for all citizens in the political, economic, social and cultural fields. Accordingly, children have all the statutory rights and obligations of adults, without any discrimination on grounds of their origin or religion. For example, Yemeni children of Jewish parents enjoy the same freedom and human, economic, educational and other rights and obligations as other Yemeni citizens without any distinction or discrimination.

C. Improvement of the standard of living

93. The State, wishing to improve the standard of living of families and children, formulated a comprehensive strategy to combat poverty, within the framework of a series of practical steps and measures, at the first and second National Conferences on Population Policies, which were held in October 1991 and October 1996 respectively.

94. Begging. The Juveniles Act regards a juvenile as a potential delinquent if he is found begging and the Yemeni legislature has endeavoured to combat this phenomenon under the terms of article 203 of the Penal Code, which

stipulates that anyone who habitually engages in such an act is liable to a penalty of up to six months' imprisonment if he could have found legitimate ways to earn a living. The penalty is increased to one year's imprisonment if the act is associated with threats or feigned disability or if the beggar is accompanied by a young child who is not one of his descendants. The court is empowered to sentence the beggar to the prescribed penalty by ordering him to perform compulsory work for a period of up to one year if he is able to work, or by ordering his placement in a shelter or centre for the disabled or in an officially recognized charitable institution if he is unable to work. The position adopted by the Penal Code is, therefore, that anyone who commits such major or minor acts merits punishment, particularly if they contravene the provisions of article 203 concerning young children (juveniles). Although this phenomenon is regarded as a punishable criminal act, it requires an economically oriented approach and careful consideration of the living conditions of these children whose situation is deteriorating due to the increasing economic pressures that the country is facing and which are adversely affecting their lives and inducing them to beg.

1. Measures to combat poverty

95. The aim of the National Population Strategy (1990-2000) was to improve the quality of life in regard to education, health, living conditions and basic needs, raise the level and ensure the equitable distribution of income, provide better employment opportunities, achieve a population distribution consistent with the requirements of the natural, economic and production environments, particularly between rural and urban areas, and protect the environment and the population from harmful practices.

2. Improvement of family living conditions

96. The urgent steps and measures taken by the Government to improve the living conditions of families and children included those described below.

(a) Establishment of the Yemeni Council for Maternal and Child Welfare

97. This Council was established in 1991 under the terms of Presidential Decree No. 53 in order to improve the situation of mothers and children. Unfortunately, however, the current political and economic circumstances prevented the implementation of the plans that had been formulated to promote the survival and development of children and improve the situation of mothers and families. Consequently, the Council's work remained in abeyance until mid-1995 when it was reactivated and the Council began to study and monitor the situation and needs of mothers and children in the light of international human rights instruments, the Convention on the Rights of the Child and the recommendations of international and Arab conferences. This led to the formulation of the National Plan for Mothers and Children, the most important objectives of which were as follows:

(a) To draft a comprehensive national plan, within the framework of the State's general planning, to protect mothers and children in various fields including, in particular, social and family welfare, health, education, culture, information and legislation;

(b) To gather available information, statistics and studies in maternal and child-related fields, evaluate their indicators and propose training programmes conducive to a more effective implementation of maternal and child-related activities;

(c) To conduct the studies, research and surveys needed to assess maternal and child needs, to secure governmental support therefor, and to formulate programmes, in collaboration with international, regional and Arab organizations, aimed at securing external support for the implementation of maternal and child projects by establishing priorities within the framework of the plans and programmes designed to meet those needs;

(d) To propose legislation concerning the welfare, protection and development of mothers and children, and to update existing legislation in a manner consistent with the requirements of children;

(e) To propose appropriate cultural, educational and information programmes and to stimulate public awareness of the needs and problems of mothers and children and ways to tackle them on a sound scientific basis;

(f) To monitor and evaluate the application of the General Strategy and National Plan for Mothers and Children in the light of the reports submitted by the various Ministries and bodies, and to provide guidance with a view to overcoming obstacles.

98. A branch of the Yemeni Council for Maternal and Child Welfare is currently being established at Aden in preparation for the extension of its services to the other governorates.

(b) Establishment of the Social Security network

99. This network was set up in view of the need to include social aspects in the economic development process through a series of measures within the framework of the economic reform programme which was designed to benefit all sections of the population, including children, in order to promote and strengthen the social component of the development process, create appropriate conditions for the success of reform and restructuring, and deal with the side effects of the implementation of the reform programme in various fields.

100. The importance of this network is evident from its objectives, comprising the following measures:

(a) Mobilization of human resources in support of the reform programme in order to reduce unemployment and alleviate its adverse social repercussions, particularly among children;

(b) Measures to combat the phenomenon of poverty, assist the poorest sections of the population, reduce the growing number of persons falling below the poverty line, promote training in a manner consistent with the needs of the labour market in such a way as to enhance skills, provide better job opportunities, develop employment programmes and emplcyment-generating institutions and create the requisite balance in the achievement of economic and social goals as a basic priority in the development process through the

implementation of labour-intensive projects, particularly in densely populated areas and in the public works, road construction and agricultural land reclamation sectors, especially in rural areas;

(c) Establishment of an economic development and employment fund with a view to providing employment opportunities in order to overcome the unemployment problem and alleviate the effects of the economic reform measures on persons with limited income, university and college graduates, persons repatriated from the Gulf States, women and residents of areas that lack local community services;

(d) Establishment of new development locations through the reclamation of agricultural land and its distribution among farmers, graduates, young persons and needy families in order to provide new employment opportunities and reduce the pressure on urban agglomerations;

(e) Promotion of vocational training programmes in order to enhance skills and rehabilitate and retrain unemployed and surplus labour;

(f) Encouragement of individual initiative and private enterprise through the granting of incentive loans by development banks, temporary tax and Customs exemptions, exemption from insurance contributions for a specified period of time, and payment of financial subsidies.

101. The Ministry of Planning and Development and the Ministry of Social Security and Social Affairs have agreed with the United Nations Development Programme to combat poverty in Yemen through a series of measures including, in particular, studies and surveys to be conducted by United Nations experts, in collaboration with Yemeni staff, to identify areas of poverty. These studies and surveys have already begun. A memorandum of understanding was drawn up between the State and the World Bank for the establishment of a social development and employment fund in the second half of 1997. The pilot project began with the planning of experimental small-loan activities at Hodeida and Dhamar and consideration is being given to the planning of similar activities in the governorates of Aden, Ta'izz and Hadhramaut. The initial cost of the social development fund is estimated at US$ 80 million, of which US$ 40 million will be contributed by the World Bank and US$ 20 million by the European Union.

(c) <u>The Social Welfare Fund of 1996</u>

102. The main purposes of this Fund were:

(a) To effectively help to alleviate poverty and relieve the hardship caused by the economic measures, and to develop the Social Assistance Act and increase the number of beneficiaries from the services provided under the terms of that Act, which was formerly known as the Social Security Act.

(b) To focus on indigent persons lacking a source of livelihood or movable or immovable property, as well as elderly persons (55-60 years in the case of men and 50 years in the case of women), widows, spinsters, divorced

women, orphans who are under the legal age for employment or who are suffering from total, partial or temporary disability, the families of prisoners and the families of missing persons.

D. Juvenile welfare policies and programmes

103. The Government is currently making increasing endeavours to provide services for juvenile offenders, vagrants, delinquents and potential delinquents alike and to find appropriate ways to reform them and protect them from delinquency through placement in rehabilitation and welfare institutions for juveniles. In pursuance of these policies, the Government has formulated programmes and promulgated national legislation to deal with the problem of juvenile delinquents through prevention or rehabilitation in a manner consistent with their circumstances and their situation. However, there is an urgent need for a comprehensive national plan to overcome this problem through preventive and curative means, taking into consideration the changing socio-economic circumstances and situations, in such a way as to turn potential delinquents into active members of society capable of furthering the overall national development process in the country through reform and social, psychological and cultural welfare programmes and activities.

104. The Juveniles Act made provision for numerous preventive measures needed to rehabilitate juvenile delinquents and prevent them from further delinquency or potential delinquency. Various articles of the Act refer to the need to control delinquents who commit serious offences, the institutions empowered to punish them, the type of penalties to be imposed on them, the methods of enforcing these penalties, their guaranteed right to defend themselves against charges with which they are faced, and a large number of measures to facilitate the examination of juveniles during their trial in order to mitigate the adverse psychological effects of these judicial proceedings.

105. Articles 3-10 of the Act define the concept of juvenile delinquency and the cases in which a juvenile can be regarded as a potential delinquent so that the competent authorities can intervene and help him. A definition is also given of juveniles who pose a threat to society and ways to deal with them. Accordingly, the Department of Public Prosecutions is designated as the authority responsible for conducting examination proceedings and taking action in juvenile cases, bearing in mind the fact that the juvenile's guardian must be notified if he is arrested after breaking the law.

106. The Labour Act No. 5 of 1995 regulates the employment of young persons by laying down a series of rules that ensure the requisite protection for young persons entering the labour market and enable them to exercise all their rights.

1. Welfare services for child offenders

107. Social, educational and psychological services are provided for young offenders at the social rehabilitation centres where they also benefit from institutional care. The juveniles placed in these institutions engage in numerous activities designed to rectify their behaviour and change their inclinations. The juvenile inmates also benefit from health care, nutrition programmes and other services.

108. In view of the small number of juvenile welfare centres, the penal institutions established special independent sections for the detention of young persons sentenced to custodial penalties. These sections are completely separate from the building in which adult prisoners are detained. However, the social and educational services that should be provided for young persons are totally lacking in these penal institutions and, consequently, there is a need to review the question of the detention of young offenders in these institutions and to endeavour to place them in juvenile rehabilitation and welfare centres as stipulated in the Juvenile Welfare Act.

109. The Republic of Yemen currently has four juvenile rehabilitation and welfare centres at Sana'a, Ta'izz, Hodeida and Ibb in which juveniles are treated in a manner consistent with the provisions of the Juvenile Welfare Act and classified by age group, type of offence committed and degree of responsibility in accordance with the definitions of the concepts of juvenile offenders and delinquents as set forth in the Act. The young inmates of these centres benefit from new opportunities for rehabilitation and reform through the following services:

(a) Technical and vocational training workshops, such as dressmaking workshops for women, tailoring workshops for men, carpentry, welding and turnery workshops, training in agriculture;

(b) Educational services such as Koran recitation classes; literacy classes; general education classes from the primary level to the end of the secondary level for juveniles wishing to continue their vocational education. This service meets a basic requirement for rehabilitation;

(c) Social and psychological services provided as soon as juveniles are placed in these institutions. The social counsellor conducts a preliminary socio-psychological study of the juvenile's social situation in order to determine the causes and extent of his delinquency so that the institution can formulate an appropriate remedial plan consistent with his situation and circumstances;

(d) Cultural activities. The juvenile inmates of these institutions take part in cultural activities such as lectures, preparation of magazines for wall display, familiarization with the institution's library, cultural competitions and religious counselling so that they can derive optimum benefit from their leisure time with a view to their rehabilitation and future reintegration in society and normal life;

(e) Sports activities. These institutions organize sports activities for their juvenile inmates, such as games, the formation of various sports teams and participation in sports competitions arranged within the institution or with other schools. These activities are regarded as the best way to reorient the physical and mental capacities of the inmates and use their leisure time in a beneficial manner. They also constitute a method of social rehabilitation;

(f) Social activities. These institutions endeavour to organize social activities by arranging trips to archaeological sites and some social institutions, as well as recreational excursions and other forms of social

activity, in order to familiarize the juveniles with the society in which they are living and expand their horizons and their general knowledge. These activities also constitute a form of social and psychological rehabilitation;

(g) Health services. Each of these institutions has a medical unit in which juvenile inmates receive the requisite health care and benefit from rapid first-aid services in emergencies.

2. Difficulties and obstacles

110. The social rehabilitation and welfare centres and institutions for juveniles are facing the following difficulties and obstacles relating to the general strategies for their activities:

(a) The inadequacy of the policies and programmes for the management and operation of these institutions;

(b) The lack of pre-service and on-the-job training programmes for the technical staff working with juveniles in order to enable them to assume their responsibilities towards the target group of juvenile delinquents or potential delinquents by helping them to diagnose, assess and resolve problems in accordance with carefully studied plans and programmes;

(c) The inadequate feedback from the process of reform, character evaluation, psychological readaptation and social integration of juveniles;

(d) The shortage of rehabilitation and training programmes for the juvenile inmates benefiting from the services of these welfare and boarding institutions. Diversified training programmes constitute an important means of treatment and reform for juveniles;

(e) The low standard of the cultural, social, sports and artistic activity programmes which help to occupy the leisure time and orient the capacities of juveniles in a manner conducive to the rectification of their behaviour;

(f) The limited availability of equipment and explanatory educational aids at the rehabilitation and vocational training workshops which help to further the education and training of the juvenile inmates of these centres;

(g) The lack of independent budgets for the activities and programmes of these institutions in order to enable them to deal with the administrative and technical problems and educational requirements of the workshops. Poor maintenance of equipment and installations renders them constantly unable to meet not only contingent but also essential operational needs, bearing in mind the fact that these centres have a centralized budget;

(h) Failure of the centres to meet the diverse nutritional requirements of juveniles at the various stages of their physical and intellectual development, in which they need a healthy and balanced diet;

(i) The State's lack of the resources needed for the establishment of separate welfare and rehabilitation institutions for young women, as a result

of which both delinquent and potentially delinquent young women are confined together in special sections of the prisons and allowed to mix with other female convicts by whom they are influenced, thereby aggravating their behavioural problems and making it more difficult to evaluate their situation and ensure their re-education and social integration, since these penal institutions do not offer programmes for these young women.

E. Policies and programmes for the welfare of the disabled

111. Social, educational, rehabilitation and training services are provided for the various categories of disabled persons, through rehabilitation and welfare centres and institutions for the disabled, in accordance with the laws in force. Disabled children include those who are blind, weak-sighted, paraplegic, deaf, dumb, hard of hearing or mentally retarded.

112. Being aware of its major responsibilities in this field, the State established the National Committee for the Welfare of the Disabled, the terms of reference of which were specified in Presidential Decree No. 5 of 1991. Its tasks included the formulation of strategies and general policies concerning the welfare, rehabilitation and social reintegration of the disabled, bearing in mind the need to encourage initiatives designed to promote the welfare of disabled persons by supporting the associations operating in this field. This Committee consists of 17 persons, including representatives of a number of Ministries, prominent personalities and businessmen, and falls under the high-level supervision of the Prime Minister. In order to facilitate the tasks and functions of this Committee, the legislature made provision for the establishment, at the Ministry of Social Security, of a Fund for the Welfare of the Disabled under the terms of Presidential Decree No. 6 of 1991. The Cabinet also issued a number of decrees to improve the situation of the disabled, including the following:

(a) Decree No. 14 of 1991 concerning the establishment of new associations for the welfare and rehabilitation of the disabled, and Decree No. 215 concerning the employment of the disabled;

(b) Decree No. 147 of 1990 concerning a comprehensive survey to determine the extent of the problem of disability and identify its categories, types, causes and areas of highest incidence, and Decree No. 150 of 1990 designating 9 December of every year as the National Day for the Disabled;

(c) Decree No. 153 of 1991 concerning the incorporation of programmes for the welfare and rehabilitation of the disabled in the curricula of Sana'a and Aden Universities.

Some of these decrees have already been put into effect, while others still require backing and support at the political or social levels.

113. It has proved very difficult to make accurate estimates of the number of disabled persons by age and sex due to the lack of the field surveys and studies needed to determine the magnitude of this phenomenon. Most of the available data on child disabilities in Yemen were obtained from four surveys, conducted during the period from 1983 to 1988, which indicated that the

proportion of disabled children under 18 years of age amounted to 10 per cent as compared with a worldwide average proportion of 8-13 per cent.

114. Yemen has made great endeavours to deal with the phenomenon of disability as follows:

(a) Limitation of disability through:

(i) Prevention based on public information and the stimulation of awareness of the magnitude of the problem in order to eliminate its sources and causes;

(ii) Treatment designed to alleviate disability and overcome the problems faced by disabled persons through medical assistance such as the early diagnosis of disability;

(b) Accident prevention;

(c) Psychological and physical therapy;

(d) Provision of social services, improvement of the capacities of primary health care centres and ongoing stimulation of awareness concerning the need for pre- and post-natal care for expectant mothers;

(e) Administration of basic primary vaccines against measles, poliomyelitis and whooping cough.

115. The State, in collaboration with non-governmental organizations, is helping to implement training and rehabilitation programmes for the disabled. Aden currently has a number of rehabilitation and welfare centres, run by the Ministry of Social Security and Social Affairs, for various categories of disabled persons and there are also several community-based projects, such as centres for the blind at Sana'a, Aden and Hadhramaut and rehabilitation centres for the disabled, in various parts of the Republic.

116. Rehabilitation and welfare centres for the blind provide various services in the formal education and vocational training fields and teach the academic syllabuses for the basic stages (from the first to the ninth grade) in accordance with the Ministry of Education's curricula but using Braille. The blind are also trained in various skills including carpentry, stonework and traditional handicrafts, such as pottery and wickerwork, and are supplied with the raw materials and tools needed for such training.

117. The State extends symbolic financial assistance (about 500 rials) to each disabled person, together with one set of winter and summer clothing, food and health care services.

118. The Intellectual Development Centre at Sana'a provides disabled children with practical knowledge in accordance with the educational curricula of the Ministry of Education through sign language and lip-reading and also organizes socio-cultural programmes and activities, such as sports festivals, excursions, a school library and the projection of recreational video films

for children. Emphasis is placed on various skills, such as carpentry, upholstery work, knitting, tailoring, dressmaking and computer science. It currently has 392 male and female students.

119. The Paraplegic Centre at Aden provides rehabilitation services for paraplegics in various fields, such as secretarial work, carpentry, the fabrication of prostheses, various types of tailoring and the manufacture of leather shoes and bags, and holds occasional exhibitions of products. It also organizes literacy classes for disabled persons. The centre has 90 male and female students.

120. The Ta'izz Centre and the Zabid Centre teaches deaf and dumb children through sign language. The former centre currently has 80 male and female students and the latter 45.

121. The social rehabilitation programme provides rehabilitation services at the local community and national levels and constitutes a new approach to work with the disabled. In its broad sense, community-based rehabilitation involves active and comprehensive participation by all the bodies concerned with welfare, such as the Ministries of Health, Education, Social Security and Social Affairs and Labour and Vocational Training.

122. In the governorate of Lahej, 63 disabled children are currently being trained and rehabilitated, 68 require follow-up and 20 require referral. In the governorate of Ta'izz, 157 disabled children are being trained and rehabilitated, 32 require referral and 35 require follow-up. The programme is expected to be extended to other areas (Hajda, Rumada and Hajar) and 21 persons received training in order to begin the rehabilitation and training of disabled persons in those areas during the biennium 1995-1996. The operation is currently being extended to further areas in the governorates of Ibb, Aden and Abyan in which 1,090, 1,001 and 1,700 disabled persons have been listed respectively.

123. The Early Home Intervention Project which began in 1993 with assistance from the Arab Council for Children and with support from the State, has since been suspended due to the shortage of qualified training staff and the lack of funds. It provided services for 56 disabled children of both sexes.

124. The Central Support Project at Sana'a and Aden focuses on community-based rehabilitation in areas close to urban agglomerations, such as the Thila area, in which the number of disabled persons is being determined and the local community is being trained to work in collaboration with the State. These centres are currently being equipped and provided with the raw materials needed for their operation. This project is helping to support existing carpentry, turnery and leather workshops, in addition to the conduct of a feasibility study on market needs. It is also helping to train Yemeni staff working in this field through external and internal training courses and the establishment of new operating units, such as the evaluation unit for staff and participating students.

125. Efforts are being made to implement the social reintegration programme for disabled persons so that these children can attend ordinary schools applying the comprehensive education programme in accordance with the

provisions of the Convention on the Rights of the Child concerning the child's right to education and development in keeping with the principle of equality of opportunity.

126. The following difficulties and obstacles have been encountered in implementing this programme:

(a) Lack of the technical and administrative expertise needed to operate these institutions, which affects the extent of the services that they provide;

(b) Inadequate coordination, communication and collaboration between the bodies concerned;

(c) Failure to strictly apply the legislation that has been promulgated to safeguard the rights of disabled persons;

(d) The Government is concentrating on specific welfare priorities for these categories due to the shortage of the financial, technical and human resources needed to run the activities and programmes of these institutions, which has reduced the effectiveness of their role in assisting their child and other beneficiaries. Hence, the increasing number of beneficiaries from these institutions is in inverse proportion to the financial resources allocated to them;

(e) Lack of expertise and specialized personnel capable of planning welfare, rehabilitation and reintegration projects for disabled persons, and inadequate pre-service and ongoing training programmes for these personnel;

(f) Instability of the professional workforce in this field in view of the difficulty of working with the disabled and the lack of financial incentives offered;

(g) The number of social, educational and training institutions that have been established to cater for the welfare and rehabilitation of disabled persons is not commensurate with the magnitude of the problem of disability in the country;

(h) The institutions and centres for the disabled are concentrated in the administrative centres of some governorates and rehabilitation and welfare services for the disabled are not available in remote rural areas;

(i) Some of the existing institutions for the disabled serve only a limited number of disabled persons in specific categories and age groups, while others cater for all age groups without planning their working methods. Some even cater simultaneously for mutually incompatible categories of disabled persons, such as the deaf and dumb, the mentally retarded and children suffering from multiple disabilities, which makes it difficult to provide integrated educational, rehabilitation, training and welfare services due to this multiplicity of needs and the shortage of resources;

(j) Because of various social considerations and values, the number of male beneficiaries from the services of most of these institutions is higher than the number of female beneficiaries;

(k) The educational services provided at most of the existing institutions for the disabled are limited to the primary or primary/preparatory levels and do not extend to the higher levels of education;

(l) The vocational training sections at some of these institutions confine themselves to training in a single occupation or a limited number of occupations that do not meet the needs of the labour market. Moreover, the vocational instructors lack vocational training experience and there are no specialists in speech therapy, diagnosis, evaluation and treatment, which are indispensable requirements for the welfare and rehabilitation of the disabled;

(m) In general, these institutions lack highly qualified instructors capable of managing rehabilitation and training programmes for the disabled;

(n) There are no local production workshops to cater for the needs of partially incapacitated disabled persons who are unable to work in the production facilities provided by the State or the private sector.

127. In general, the form and architectural design of the buildings or facilities of the existing institutions are not currently suited to the provision of services for the disabled due to the inadequate number of classrooms or rooms used as vocational training workshops or for other activities.

128. Consequently, under the present circumstances, we find that the services currently provided by these institutions do not live up to the State's aspirations to improve the situation and meet the increasing needs of disabled persons. Hence, the question of the social integration of the disabled should be reviewed and endeavours should be made to develop the educational policies and programmes at the ordinary schools as the best way to meet these constantly increasing needs and remedy the inadequate absorption capacity of the existing centres for the disabled. Efforts should also be made to benefit from international external expertise in this field.

129. For the period 1997-2000, three projects are being implemented at Abyan, Al-Jawf and Hadhramaut, as well as three others involving the expansion, renovation and repair of existing centres at Aden, the city of Sana'a and Ta'izz. Plans are also being made for the construction of 10 centres at Lahej, Hodeida, Dhamar, Ibb, Shabwah, Mahra, Mahwit and Al-Baida during the period 1997-2000.

III. HEALTH EDUCATIONAL AND RECREATIONAL SERVICES

Health Services

130. The Republic of Yemen has witnessed rapid demographic growth during the last two decades. For example, the resident population has increased from 12,364,400 persons in 1990 to about 14,587,807 according to the results of the general population census of 1994, i.e. an annual growth rate of 3.7 per cent. This increase is attributable to the improved health situation, the lower mortality rates and the relatively stable fertility rate (amounting to 7.4 per cent).

131. According to article 32 of the Constitution of the Republic of Yemen, health and social services are basic requirements for social development and progress and are provided through contributions from society and the State. Article 54 of the Constitution further stipulates that all citizens have a right to health care, which the State must secure through the establishment and expansion of various hospitals and health institutions, the legal regulation of the medical profession and the development of free health services. To this end, the legislature has promulgated the following legislation and decrees:

(a) The Act regulating the exercise of the health professions;

(b) The Presidential Decree establishing the Yemeni Council for Medical Specializations;

(c) The decree promulgated by the Prime Minister regulating medical treatment abroad.

132. Public health services were developed considerably during the years 1990-1995. For example, the number of hospitals increased from 74 in 1990 to 81 in 1995, i.e. an increase of 15 per cent. The number of hospital beds also rose from 7,970 in 1990 to 9,169 in 1995 (an increase of 9 per cent) and the number of health centres rose from 390 in 1990 to 395 in 1995.

133. However, notwithstanding this increase in the number of health units and health counsellors, as a result of which at least 50 per cent of the population should have access to health services, it must be pointed out that most of these units (four fifths) are not operational since their supervision and funding was suspended for a long period of time extending into the 1990s for various reasons including, in particular, non-payment of the supervisory staff and the shortage or poor quality of the pharmaceutical supplies and equipment. This situation had an adverse effect on the health services required by mothers and children, who constitute a proportion of not less than 70 per cent of the population.

134. This situation resulted from the increasing demand for such services due to the increase in the population, particularly the youthful segment, whose health needs the State was unable to meet. According to the statistics contained in the UNICEF publication The State of the World's Children (1997), the services that are provided by the health institutions in the principal governorates currently cover only about 30 per cent of the population.

135. During the period 1990-1995, health services were accessible to about 38 per cent of the population in urban and rural areas. Table 3 in the annex shows that the proportion of government spending allocated to health rose from 3.9 per cent in 1992 to 4.7 per cent in 1995.

1. The child's right to health

136. Since the beginning of the 1990s, the State's concern for the survival and health of children, as reflected in the general policies of the Ministry of Health, has led to a reduction in infant and child mortality and malnutrition.

137. Within the context of this review of the measures taken by the Republic of Yemen to achieve the international goals, it should be noted that Yemen has attended all the international forums directly or indirectly concerned with children and has eagerly ratified the agreements and programmes of action formulated during those meetings at the international or regional level. Our country has ratified the Convention on the Rights of the Child and has adopted the National Population Strategy, the targets of which include a reduction in infant and child mortality and in the incidence of moderate and severe malnutrition and an increase in the coverage of immunization against the six diseases that affect children.

138. A review of these aspects leads to the following conclusions:

(a) Immunization. The endeavours made in this field have achieved appreciable coverage by this important service during the last five years (1991-1996) as shown in the following tables:

Table 1

Immunization coverage (women and children) during the period 1990-1996

Activity	Vaccine	Years							Observations
		1990	1991	1992	1993	1994	1995	1996	
Child coverage	BCG	107	74	54	57	41	60		
	Measles	74	57	49	51	31	53		
	Polio and triple	89	62	50	51	33	54		
Non-pregnant women	Tetanus	15	8	8	6	8	10		
Pregnant women	Tetanus								
National days for the eradication of polio (1st stage)	1st dose							119	
	2nd dose							134	

Table 2

National days for the eradication of poliomyelitis 1992-1996

Governorate	Total number of children targeted	Level of performance on day 1 %	Level of performance on day 2 %	Level of performance on day 3 %	Total number of children vaccinated during first round	Percentage of children vaccinated during first round	Total number of children vaccinated during second round	Percentage of children vaccinated during second round	Comparison of level of performance in second/first rounds
Grand total	2 588 487	111	114	118	3 101 599	119	3 477 303	134	112
City of Sana'a	158 619	114	141	69	207 376	112	226 238	122	109
Sana'a	337 507	109	116	113	371 808	110	418 027	124	112
Ta'izz	348 509	112	101	109	425 012	112	457 495	131	108
Ibb	326 572	73	93	167	470 718	144	476 922	146	101
Hodeida	251 791	124	116	105	300 343	119	348 919	139	116
Hajja	233 610	106	116	143	277 625	119	308 175	132	111
Dhamar	179 924	107	114	112	239 315	133	263 891	147	110
Sa'dah	91 232	116	122	108	113 576	124	131 287	144	116
Al-Baida	90 669	124	115	85	109 174	120	121 511	134	111
Mahwit	64 835	103	101	157	93 113	144	103 779	160	111
Marib	34 948				33 085	95	36 943	106	112
Al-Jawf	40 284	272	208	207	15 595	39	36 315	90	233
Aden	55 651	165	126	92	61 527	111	74 994	138	125
Hadhramaut	110 315	186	104	82	106 833	97	124 691	113	117
Lahej	99 084	101	109	115	131 233	132	138 932	140	106
Abyan	60 690	194	199	126	61 687	102	103 136	170	167
Shabwah	77 806	115	124	144	74 023	95	92 399	119	125
Mahra	9 511	96	130	158	9 556	100	11 649	122	122

Source: UNICEF.

The factors that led to the low level of performance of the immunization programme are:

(i) Lack of clearly defined goals at all levels;

(ii) Inadequate preparation of clearly defined and detailed plans;

(iii) Insufficient training;

(iv) Poor supervision;

(v) Lack of evaluation in accordance with the strategy;

(vi) Poor condition of the refrigeration equipment;

(vii) Lack of public participation;

(b) Malnutrition and diarrhoea. The incidence of severe and moderate malnutrition has declined in recent years and amounted to 30 per cent in 1995; the mortality rate attributable to diarrhoea has declined in recent years from 66 per cent in 1990 to 40 per cent in 1995. The achievements made are the folloing:

(i) Rehydration solution has been supplied to the administrative centres of the governorates and some of the main towns in the districts;

(ii) Staff have been trained in ways to treat diarrhoea in children;

(iii) Health awareness has been promoted through symposia, pamphlets, posters, booklets and radio and television programmes;

(iv) The proportion of mothers able to treat diarrhoea and use rehydration solution has been increased;

(c) Encouragement of breastfeeding. The Ministry of Health in our country has taken a number of measures to curb the spread of artificial feeding and encourage breastfeeding, which is more beneficial to the health of children since it does not entail exposure to many of the diseases, particularly diarrhoea, which prove fatal to so many children. These measures include:

(i) Large-scale information campaigns using the various information media;

(ii) Prohibition of the distribution of free samples of infant formula at hospitals and health facilities throughout the Republic;

(iii) Implementation of the child-friendly hospital initiative.

According to the statistics presented in the UNICEF publication The State of the World's Children (1997), during the period 1990-1996 about

15 per cent of infants up to the age of three months were breastfed exclusively and 51 per cent of those aged six to nine months received solids in addition to breastfeeding.

(d) Hygienic aspects of some social customs. Male circumcision is a religious rite that is observed by Islamic, Jewish and many other communities in which all males are circumcised. Since the beneficial results of the observance of this rite have been confirmed by medical research, the Ministry of Health is endeavouring to ensure that this custom is practised in a hygienic manner that safeguards children from many complications that might arise if health facilities were not available to provide this service in a careful and hygienic manner. Female circumcision, a tradition that might have been inherited from some neighbouring African States in which it is widespread, is a rare phenomenon in our country and, therefore, does not warrant concern as a health hazard since many other health problems that endanger the lives of children merit higher priority in regard to research and monitoring.

2. The mother's right to health

139. The mother's health has a direct or indirect effect on the health of her children. Since the under-15 age group constitutes 50.27 per cent of the population, this means that we are concerned with the health of 75 per cent of Yemeni society. The latest statistics on the maternal health situation contain only estimated figures that might be unreliable. At all events, however, the maternal mortality rate remains high, possibly amounting to 1,000 deaths per 100,000 live births.

(a) Prenatal care

140. The demographic survey of maternal and child health that was conducted in Yemen in 1991-1992 provided the following indicators:

(a) At the time of the survey, 16.7 per cent of married women were pregnant (17.2 per cent in rural and 14.3 per cent in urban areas);

(b) The proportion of these women receiving prenatal medical care amounted to 21.2 per cent (16.3 per cent in rural and 49.2 per cent in urban areas);

(c) Tetanus vaccinations were administered to 33.4 per cent of pregnant women in urban areas and 11.4 per cent in rural areas.

(b) Care during childbirth

141. The findings of the 1992 survey concerning delivery under qualified medical supervision showed that 11 per cent of newborn children were delivered by a physician, 5 per cent by a midwife and 8 per cent without assistance.

3. General strategies, aims and policies

142. The National Population Strategy (1996-2000) includes a plan to reduce the incidence of contagious and parasitic diseases, particularly among infants

and children, and to improve the nutritional state of health of citizens in general and especially of those most vulnerable to malnutrition, such as infants and children, through the provision of health care and treatment services in all parts of the country. The plan aims to achieve the following objectives:

(a) Reduction in infant mortality from 83 to 60 per 1,000 by the end of the year 2000;

(b) Reduction in the mortality rate among children under 5 years of age to 95 per 1,000 by the end of the year 2000;

(c) Increase in the proportion of children immunized against the six killer diseases to 90 per cent by the year 2000;

(d) Increase in the coverage of primary health-care services from 45 per cent to 60 per cent by the year 2000;

(e) Eradication of poliomyelitis and neonatal tetanus by the year 2000;

(f) Construction of 34 rural hospitals, 168 health centres and 674 health units in all the governorates.

143. The principal policies and measures applied under the plan are:

(a) Provision of day-care centres for children at which reasonably priced services will be available to working women in order to help them to remain in employment;

(b) Promotion of awareness by married women of the benefits of birth spacing and the practice of family planning to that end.

144. The health projects include 29 programmes to promote maternal and child care, combat malnutrition and widespread chronic diseases and improve environmental and occupational health.

145. The cost of the health projects that are under way amounts to 260 million rials.

146. The Government's five-year plan makes provision for the following measures to ensure the survival, protection and development of children:

(a) Increase in the coverage of maternal and child health services to 60 per cent by the year 2000;

(b) Increase in the health-care coverage of pregnant women to 60 per cent;

(c) Encouragement of community-based and foreign participation in support of health programmes;

(d) Planning and implementation of pre-service and on-the-job training programmes for persons working in the field of maternal and child care;

(e) Increase in the level of immunization coverage;

(f) Treatment of malnutrition in children. In fact, the rate of severe and moderate malnutrition declined to 30 per cent in 1995 and the plan makes provision for a number of measures to further improve the nutritional situation of children by the year 2000. These measures include a reduction in the incidence of iron deficiency anaemia to 66 per cent in rural areas and 16 per cent in urban areas (i.e. one third lower than the figures for 1994), and the elimination of vitamin A and iodine deficiency, by the end of the year 2000;

(g) During the last five years, the child mortality rate from diarrhoea has declined from 60 per cent in 1990 to 40 per cent in 1995. The first five-year plan aims to further reduce the number of deaths from diarrhoea to half the figure for 1995 and to increase the rate of utilization of rehydration solution from 30 per cent to 80 per cent.

147. The results of the Yemeni demographic survey in 1991-1992 showed that the child mortality rate in the age group 1-4 years amounted to 47.1 per 1,000 live births in the case of females and 41 per 1,000 live births in the case of males. This indicates that, from their childhood, Yemeni women do not receive appropriate health care. Moreover, in rural areas, young girls begin to assume arduous household responsibilities at 6 years of age and are married as soon as they reach the stage of adolescence, at which time they have to assume double responsibilities in and outside the home.

148. Anaemia is widespread among women of childbearing age, particularly in rural areas and in the coastal plain, largely as a result of the high fertility rate, the short interval between births, constant exposure to parasitic and contagious diseases such as malaria, and malnutrition. Anaemia increases the risk of death if the mother suffers a haemorrhage. It also increases the risk of puerperal infection which, in turn, can lead to death or peritonitis and sterility.

149. The future plans to reduce maternal morbidity and mortality aim to achieve two goals:

(a) Improvement in female health (long-term goal);

(b) Prevention of maternal mortality (short-term goal).

150. On the whole, it can be affirmed that the strategies, policies and objectives concerning the provision of services to safeguard the health of children, ensure their proper nutrition and protect them from the diseases that threaten their survival and development, as set forth in the Convention on the Rights of the Child, are reflected in the National Population Strategy, the Plan of Action pertaining thereto, the Five-Year Plan and the sectoral plans of the government agencies concerned, in which the articles and provisions of that Convention are taken fully into account. If their implementation has encountered some difficulties and obstacles, this indicates

that the extent of implementation is commensurate with the objectives to be attained and is a natural result of the Government's diligent endeavours to give greater effect to the provisions of the Convention in a manner consistent with its present situation and aspirations.

151. The following health projects are contained in the Government's five-year plan for 1996-2000:

(a) Projects for public health-care programmes in all the governorates. These projects include 29 programmes to promote maternal and child care, combat malnutrition and widespread chronic diseases such as malaria, tuberculosis and bilharziasis and improve environmental and occupational health;

(b) Construction of 34 rural hospitals throughout the Republic. The aim of these projets is to provide diagnostic, therapeutic and general medical services at an estimated cost of about 2.3 billion rials. They are expected to be implemented during the five-year plan for 1996-2000;

(c) Construction of 168 health centres. The aim of this project is to construct and equip 168 medical centres throughout the Republic in order to expand primary health-care services by providing the centres with laboratories and radiological examination equipment for the benefit of citizens. The estimated financial cost of the project is 4.1 billion rials;

(d) Construction of 674 health units. The aim of this project is to construct and equip 674 health units to provide primary health-care services in remote areas at an estimated total cost of about 3.4 billion rials;

(e) Establishment of a cardiosurgical centre. The aim of this project, to be implemented at the Thawra Hospital at Sana'a, is to meet the increasingly urgent needs for the treatment of heart diseases. Its estimated total cost amounts to about 350 million rials.

B. Educational services and policies

152. The Republic of Yemen applies the principle of equal opportunities in regard to education, which is free and compulsory. Article 32 of the Constitution stipulates that the State, together with society, must contribute to the provision of education, which is a prerequisite for social development and progress. Article 53 further stipulates that all citizens have a right to education which the State must safeguard, in accordance with the law, by establishing various educational institutions and making basic education free. In view of the high illiteracy rate among women who missed the opportunity to attend official educational institutions, the State organizes programmes for the eradication of illiteracy from which children also benefit.

153. Technical and vocational education programmes are being expanded for the benefit of children of both sexes in order to ensure their welfare and protect them from delinquency and perdition by creating appropriate conditions for the development of their intellectual, physical and spiritual aptitudes.

1. Pre-school educational institutions (nursery schools and kindergartens)

154. Education in these institutions is regarded as an ancillary and necessary means to prepare children psychologically for enrolment in subsequent stages of education. Although about 106 institutions of this type (43 governmental and 63 private) have so far been established, they are concentrated in the principal cities.

155. It is noteworthy that the total number of children enrolled at kindergartens declined from 9,847 in 1990/91 to 9,775 in 1994/95 in all three age groups (younger, intermediate and older). This was attributable to the following reasons:

(a) The limited number of existing nursery schools and kindergartens;

(b) The low level of family awareness concerning the importance of enrolling children at these institutions as a preparatory stage;

(c) The difficult economic situation faced by a large proportion of families, which are unable to afford the cost of enrolling their children at these institutions;

(d) The inadequate financial and technical resources of the existing institutions, some of which are unable to apply modern educational methods.

2. Basic education

156. The statistics compiled by the Ministry of Education indicate that the number of children under six years of age admitted to the first primary grade rose from 106,087 in the academic year 1990/91 to 139,305 in 1994/95. This represents an increase of 31.3 per cent and an annual growth rate of 7 per cent. The total number of children in the age group 6-15 years enrolled at the basic stage of education also rose from 2,076,138 in the academic year 1990/91 to 2,766,255 in 1994/95, i.e. an increase of 33.2 per cent and an annual growth rate of 7.4 per cent. During the same period, the proportion of female students rose slowly from 25.6 per cent to 27.8 per cent. The Government is currently tackling the problem of the low rate of female enrolment in education through joint programmes and activities with a number of international organizations, including UNICEF which is collaborating with it in the implementation of a comprehensive programme in a number of selected areas with a view to encouraging young girls to show an interest in education. The results so far achieved have been promising.

157. In spite of the increase in the number of students enrolled at this stage of education, there are evident imbalances from the standpoint of the relationship between the expansion of the absorption base for children of school age in the age group 6-15 years and the corresponding population age group as shown by the final results of the 1994 general census. However, the ability to achieve the goals set in the National Population Strategy for 1990-2000 is highlighted by the following:

(a) In the first grade of basic education, the enrolment rate for 6-year-old children amounted to 29.2 per cent for males and 18.5 per cent for females (a combined rate of 24 per cent), which indicates that 76 per cent of 6-year-old children do not have an opportunity to enrol in the first grade of basic education. However, those rates do not accurately reflect the real educational enrolment rate due to the young age of the children, who qualified when the census was conducted in December 1994. Moreover, many persons enrol after reaching that age, particularly in rural areas;

(b) Fifty-five per cent of the population in the age group 6-15 years were enrolled for basic education. This means that 45 per cent of children were not enrolled for education. There was also a disparity between the enrolment rates for the two sexes (about 71 per cent for males, as compared with 37.5 per cent for females) even though the sex ratio is almost equally balanced. This educational disparity is wider in rural than in urban areas, amounting to 48.8 per cent and 79.5 per cent respectively, due to the lesser availability of educational services;

(c) If the endeavours to expand basic education keep pace with the annual rate of increase in the number of students (7.4 per cent between the academic years 1990/91 and 1994/95 as shown in Table 1), it will be possible to achieve an almost total enrolment rate, i.e. more than the target of [illegible] per cent set in the National Strategy, on the assumption that the population in the age group 6-15 years will number 4,243,000 persons by the year 2000 in accordance with the average alternative projections, bearing in mind the fact that the Strategy targeted the population in the age group 6-12 years, i.e. before the restructuring of the education system under which the basic stage of education was increased to nine years, thereby covering the age group 6-15 years.

3. Secondary education

(a) General secondary education

158. Although the results of the 1994 general census indicated that only 13.5 per cent of the total population in the age group 16-18 years were receiving secondary education, the general secondary schools absorb the lion's share, as compared with other branches of secondary education, as shown by the quantitative evolution in enrolment rates during the academic years 1990/91-1994/95. Some indicators to this effect will be found in Table 1, which shows the remarkable development of general secondary schools in which the number of students enrolled rose from 113,719 to 232,506, i.e. an annual growth rate of 19.6 per cent.

(b) Teacher training institutes

159. After students, teachers constitute the largest and most important element in any education system responding to the increasing social demand for education. In past years, however, education policy was characterized by indecisiveness concerning the importance of teacher training, which led to a variety of qualifications ranging from the three-year post-preparatory diploma to the diploma awarded after four years of training following completion of the standardized stage of education. Those teacher training programmes made

an evident distinction between primary and secondary schoolteachers. Ministry of Education statistics show that the total student enrolment at these institutes rose from 13,444 in the academic year 1990/91 to 27,745 in 1994/95, representing an annual growth rate of 19.9 per cent and an overall increase of 106.3 per cent. About 8,000 students of both sexes graduate from these institutes every year. Enrolment was suspended after the graduation of the last class in the academic year 1994/95 so that these institutes could be transformed into two-year post-secondary intermediate colleges.

(c) Technical and vocational education

160. The aim of technical education and vocational training is to provide the rising generation with the knowledge and skills needed to meet the needs of the labour market. During the last two decades, the State has endeavoured to promote this type of education and has formulated educational and training programmes suited to the needs of the local environment. However, in spite of the achievements made, particularly when viewed within that short time frame, those programmes have not played a prominent role in education policy and largely failed to meet expectations since enrolment fell steadily from 5,405 in the academic year 1990/91 to 5,069 in 1994/95, i.e. a decline of 6.2 per cent. This decrease in demand for technical and vocational education is attributable to numerous factors, including:

(a) The reluctance of basic education graduates to enrol at these institutes due to the low social esteem attached to this type of education, which usually attracts only persons with the lowest academic aptitudes and qualifications;

(b) The absence of a clear concept of the input and output of technical and vocational education within the framework of a comprehensive policy linking the intake at the various stages of education to development needs as the basis on which to determine the extent and type of expansion required in the vocational and technical training programmes;

(c) The high drop-out rate from these vocational institutes and centres for numerous reasons, such as the low incomes of some of the students' families and the lack of opportunities for practical training due to the inadequate financial appropriations;

(d) The lack of employment opportunities and the failure to take the measures needed to encourage graduates to seek self-employment opportunities.

161. As part of the State's endeavours in this regard, important steps have recently been taken to help to achieve the aim of increasing the absorption capacity and improving the standard and effectiveness of technical education and vocational training by:

(a) Placing the formal institutes and centres under the control of the Public Authority for Technical Education and Vocational Training;

(b) Establishing a Vocational Training Fund;

(c) Formulating plans for the development of technical education and vocational training within the context of a comprehensive programme financed by the World Bank and a number of funds and friendly States.

4. Informal education

162. One of the educational problems facing our country is the high illiteracy rate which, according to the results of the 1994 general census, amounted to 55.8 per cent of the total population in the age group 10 years and above. There is considerable disparity between males and females, with the illiteracy rate amounting to 76.2 per cent among females as compared with 36.5 per cent for males, in view of the low educational enrolment rates among females due to the short-sighted attitude taken towards the education of girls.

163. There are also evident disparities between urban areas, in which educational services are concentrated, and rural areas which are still suffering from a shortage of educational services. The illiteracy rates in urban and rural areas amount to 34.1 per cent and 63.3 per cent respectively.

164. One of the aims of the National Population Strategy for 1990-2000 is to focus on a programme for the eradication of illiteracy in order to reduce the illiteracy rate to less than 50 per cent among females and less than 30 per cent among males by the year 2000. These rates include male and female children.

5. Expenditure on education

165. The increasing levels of expenditure on education are illustrated by the following table:

Table 3

Evolution of expenditure on education as a proportion of the State's public budget and GNP during the years 1990-1995 (in millions of rials)

Indicators	Years					
	1990	1991	1992	1993	1994	1995
Expenditure from the State's public budget	35 967.0	44 069.8	57 042.8	68 983.6	87 128.3	124 140.0
Expenditure on education	6 189.6	8 578.2	10 766.1	13 531.3	16 728.5	21 856.1
Expenditure on education as a percentage of the State's public budget	17.2	19.5	18.9	19.6	19.2	17.6
Gross national product (at market prices)	97 779	112 434	135 949	170 298	221 103	294 252
Expenditure on education as a percentage of GNP	6.3	7.6	7.9	7.9	7.6	7.4

Source: Statistical Yearbook 1990-1995, Central Statistical Office.

6. Problems and obstacles in the education and training sector

166. The education system is facing numerous problems such as, in particular:

(a) The high illiteracy rate among the population;

(b) The low enrolment rate in basic education;

(c) The dispersion of the population in many rural areas;

(d) The high educational drop-out rate;

(e) The low standard of education and training due to the following:

(i) Failure to modernize educational curricula, especially in secondary education in which the teaching materials used are out of date;

(ii) The lack of a uniform Education Act in the Republic of Yemen;

(iii) The low standard of some educational and training institutions, in which conditions are not conducive to an improved choice and in which the training provided constantly falls short of the aim of developing the skills and know-how of students;

(iv) The failure to meet appropriate health and educational conditions in some schools;

(v) The poor standard of the technical equipment in the existing technical institutes and centres and its failure to keep pace with the technological developments that are being introduced in the labour market;

(vi) The lack of facilities, such as workshops and laboratories, needed for the practical training required during the study of scientific subjects;

(vii) The low quality of the intake into technical and vocational education due to the low standard of general education;

(viii) The inadequate linkage between education and training systems and employment and production institutions.

7. Educational projects in the five-year plan for the period 1996-2000

167. The Government is seeking to cover the deficit in educational services by adopting the following projects:

The construction of 20,618 classrooms for the stages of basic education;

The construction of 1,154 classrooms for the stages of secondary education;

Provision of the furniture and educational requisites needed in the new classrooms.

168. The aim of the projects is to increase the absorption capacity of educational institutions at the basic and secondary levels of education in order to cater for the expected increase in the number of students during the next five years. The total cost is estimated at about 53 billion rials, of which 50 billion is for basic education and 3 billion for secondary education. The projects are expected to be completed during the period of the five-year plan (1996-2000).

(a) School health projects, literacy centres and orphanages throughout the Republic

169. The aim of these 30 projects is to improve school health and construct literacy centres and orphanages in all the governorates at an estimated total cost of 4 billion rials.

(b) Kindergarten projects

170. The aim of these 43 projects, the total cost of which is estimated at about 611 million rials, is to establish kindergartens for the benefit of children in all the governorates.

C. Cultural, leisure and recreational activities

171. Through its educational institutions which are providing services for male and female children, the Yemeni Government, represented by the Ministry of Education, is organizing cultural activities linked to the education system. In order to ensure the effective promotion, control and regulation of these activities, a series of ordinances were promulgated in the form of pedagogical directives in keeping with public policies and programmes. These ordinances included:

(a) The Social Service Directive, promulgated in Ministerial Ordinance No. 795 of 1995, which consisted of 18 articles divided into the following five sections:

(i) The principles and aims of school social service;

(ii) Fields, means and methods of school social service;

(iii) Qualifications and duties of the sociologist;

(iv) Role of the headmaster and the social monitor in regard to school social service;

(v) Records and their content;

(vi) Rights and obligations of the sociologist, who has the same legal status as a teacher;

(b) Ministerial Ordinance No. 801 of 1995, promulgating the School Library Directive, consisted of 25 articles divided into the following sections:

(i) Aims and specifications of the school library;

(ii) Cultural and educative activity of the school library;

(iii) Technical and administrative organization of the school library;

(iv) Maintenance of library records;

(v) Conditions for the selection of the librarian: his rights and obligations, in regard to which he must be treated in the same way as other teachers;

(vi) Role of the school in regard to the school library;

(vii) Purpose-oriented operation of school libraries.

172. These directives, which have been circulated among all schools, are helping to regulate those activities. In actual fact, however, those activities are largely confined to schools in some of the principal administrative centres. The reasons for this include:

(a) Only the headmasters of schools in some governorates are sufficiently motivated to organize such activities;

(b) Inadequate awareness of the important role that those activities play in furthering the education process;

(c) The extent to which the role and content of those activities are supported by the local community and, in particular, by parents and guardians.

However, these may not be the only reasons, given the possible existence of other factors relating to the academic circumstances, environment and facilities and the values and customs of the local community.

173. It should be noted that there is still an urgent need to extend those activities to the other educational institutions in the governorates in which cultural activities seem to be inadequate. Other activities, such as physical, artistic and musical education and school competitions which constitute an extension of cultural and recreational activity or fall within its scope, receive little attention, even at schools in the principal administrative centres.

174. Every governorate has a department of education, one section of which is responsible for the promotion of cultural, artistic and sports activities at the schools through the provision of monitors to supervise artistic, physical

and musical education, handicrafts, domestic science and the library. Consideration is being given to the idea of introducing social education in all the governorates with the help of graduates in sociology, psychology and social service, as already indicated in the relevant directive. These educational institutions are endeavouring to assign a more active role to the school sociologists, currently numbering 1,000 (70 per cent female and 30 per cent male) in the principal governorates such as Sana'a, Aden, Ta'izz and Hodeida, who have numerous tasks and responsibilities, such as:

(a) Organization of cultural and recreational activities (summer camps, for example) which help to occupy leisure time;

(b) Promotion of environmental health programmes and organization of day camps;

(c) Organization of educative and recreational excursions to familiarize female students with their environment and some of its institutions, thereby furthering the aims of the education process;

(d) Procurement of economic aid and assistance, in cash and in kind, from charitable persons for poorer female students in order to encourage them to continue their education;

(e) Handling the problems of persons who are repeatedly absent or liable to drop out of school (particularly the economic problems that might cause females to drop out);

(f) Dealing with other family problems that affect the student's level of academic achievement (such as family break-ups, divorce, constant disputes, late arrival at school due to unfavourable family circumstances, and other academic problems which impede or prevent regular school attendance);

(g) Organization of charity fairs to support poorer female students;

(h) Coordination and liaison with charitable associations which provide schools with regular aid for the benefit of female students;

(i) Linkage between the school and the home with a view to the furtherance of proper social adaptation and upbringing;

(j) Promotion of family awareness of the importance of girls' education through parent/teacher councils.

175. In the light of the above, it should be noted that cultural and recreational activity must be conducive to the implementation of policies and programmes the content and aims of which complement the aims of children's education, particularly in the case of female children who are deprived of these activities due to other preponderant priorities, particularly in rural areas.

176. If there is a serious intention to develop and enhance the quality and content of those activities, particularly in view of the fact that an increase in enrolment and absorption rates during the next six years is one of the

strategic aims of the Population Plan of Action for 1996-2006, the Ministry of Education should review the existing policies and programmes concerning cultural and recreational activities and take practical steps and measures to meet the increasing requirements for such services. Account should be taken of the following principal component elements of any effective strategy to develop and modernize those activities:

(a) Provision of the material resources needed to increase the effectiveness of cultural and recreational activities;

(b) Provision of the trained and qualified human resources needed to work in this field, particularly in girls' schools, since it has been found that most of the persons responsible for the organization of these activities are not specialists and lack the requisite technical skills and experience;

(c) Improvement and development of the facilities intended for these activities, such as halls for cultural activity, gymnasiums and school theatres etc., in accordance with carefully studied plans and programmes;

(d) Provision of information material and publications to further the aims of cultural activities;

(e) Establishment of liaison and coordination channels with information institutions with a view to the production of local cultural material;

(f) Intensification of cultural and recreational activity programmes for girls, particularly in areas that are deprived of these services;

(g) Optimization of the role that the information media play in supporting and publicizing the numerous cultural activities offered by educational institutions;

(h) Planning and coordination of joint endeavours by educational and cultural institutions and harmonization of their working methods and procedures so that they can contribute to the development of cultural activities for children;

(i) Coordination of the endeavours of local organizations to disseminate culture.

177. The overall situation of children in Yemen is therefore undergoing many positive changes, which require international support and assistance. The State must also include child welfare and support programmes among the development priorities in the next five-year plan.

Table 4

Number of students enrolled at the various stages of education during the academic years 1990/91-1994/95

Educational stages	Sex	1990/91	1991/92	1992/93	1993/94	1994/95	Annual growth rate %
Kindergartens	Male	5 194	6 607	7 135	5 849	5 152	0.2
	Female	4 653	6 013	6 566	5 210	4 623	0.2
	Total	9 847	1 262	13 701	11 059	9 775	0.2
Basic education	Male	1 543 817	1 698 238	1 661 039	1 920 805	2 001 743	6.7
	Female	532 321	588 407	600 156	727 795	764 512	9.5
	Total	2 076 138	2 286 645	2 260 195	2 648 600	2 766 255	7.4
Secondary education	Male	120 876	152 532	187 514	200 693	240 097	18.7
	Female	19 222	28 363	28 087	43 222	53 103	28.9
	Total	140 098	180 895	185 601	243 091	293 200	20.3
General	Male	97 060	116 355	115 514	153 291	187 434	17.9
	Female	16 659	25 010	23 510	35 997	45 072	28.2
	Total	113 719	141 445	139 024	189 288	232 506	19.6
Institutes	Male	6 823	8 150	12 193	15 930	24 141	37
	Female	707	1 100	1 483	2 535	3 739	516
	Total	7 530	9 250	13 676	18 465	27 880	38.7
Teacher training	Male	12 007	22 989	25 095	29 883	23 871	18.7
	Female	1 437	1 621	2 567	4 315	3 874	28.1
	Total	13 444	24 610	27 662	34 198	27 745	19.9
Technical and vocational	Male	4 986	5 038	4 712	1 589	4 651	1.7
	Female	419	552	527	375	418	0.05
	Total	5 405	5 590	5 239	5 140	5 069	1.5

Source: Ministry of Education.

Table 5

Number of schools, academic branches and students, by sex, at all stages of general education in the academic year 1994/95

Stage	Basic	Secondary	Total
Schools	9 579	1 224	10 803
Academic branches	78 789	5 678	84 467
Male students	1 776 273	187 434	1 963 707
Female students	716 744	45 072	761 816
Total students	2 493 017	232 506	2 725 523

Source: Statistical Yearbook for 1995.

Table 6

Expenditure on basic services in 1992 and 1995

Year	Public expenditure	Percentage expenditure on services		
		Education	Health	Other
1992	57 043	19.6	3.9	5.3
1995	124 140	17.6	4.7	8.3

Source: Central Statistical Office.

Table 7

Statistics concerning juvenile rehabilitation and welfare (social orientation) centres for 1993

Governorate	Delinquency						Potential delinquency							
	Murder	Theft	Sex	Assault	Other	Total	Orphanhood	Divorce	Absent father	Separation	Family break-up	Other causes	Total	Grand total
City of Sana'a	-	13	15	-	-	28	29	22	25	23	25	5	129	157
Ta'izz	1	16	9	-	2	28	4	3	5	4	5	3	24	52
Hodeida	-	2	5	-	8	15	31	3	2	13	2	3	54	69
Ibb	-	6	-	-	-	6	26	4	8	7	2	-	47	53

Source: Directorate-General for Social Defence.

Table 8

Number of inmates at institutions for the disabled

Name of centre	Academic section	Vocational section	Total
Al-Nur, Sana'a	75	None	75
Al-Nur, Aden	6	30	36
Al-Nur, Hadhramaut	45	35	80

Source: Centre for the Disabled.

Table 9

Penalties for violations of the provisions of the Labour Act concerning the employment of young persons

Type of violation	Penalty
Employment of young persons under 15 years of age, for more than 7 hours per day, or for more than 42 hours per week	Fine of 20 000 rials
Failure to interrupt the daily working hours of young persons by a rest period of not less than one hour, or requiring a young person to work more than four consecutive hours	Fine of 5 000 rials, multiplied by the number of persons in respect of whom the violation was committed
Failure to calculate the hours which the young person spends in training as part of the official working hours	Fine of 20 000 rials, multiplied by the number of persons in respect of whom the violation was committed
Employment of a young person on overtime or night work except where authorized by decision of the Minister	Fine of 20 000 rials, multiplied by the number of persons in respect of whom the violation was committed
Employment of a young person during weekly rest days, official holidays or other periods of leave	Fine of 10 000 rials, multiplied by the number of persons in respect of whom the violation was committed
Employment of a young person without the approval of his or her parents or guardian or without notifying the Ministry or its competent office	Fine of 11 000 rials, multiplied by the number of persons in respect of whom the violation was committed

Type of violation	Penalty
Employment of young persons in remote and undeveloped areas	Fine of 20 000 rials
Failure to provide a healthy and safe working environment for young persons in accordance with the terms and conditions specified by the Minister	Fine of 20 000 rials
Employment of young persons in heavy work, hazardous industries or socially dangerous jobs, as specified by decision of the Minister	Fine of 20 000 rials
Failure to grant the young person, on the due date, annual leave of 30 days in respect of each year of actual service	Fine of 17 000-20 000 rials, which is doubled each time the violation is repeated
Failure to maintain a record of young employees specifying the young person's name, age, parent or guardian, date of entry on duty, place of residence and any other details required by the Ministry	Fine of 10 000-20 000 rials, which is doubled each time the violation is repeated
Failure to post the regulations concerning the employment of young persons in a prominent location at the workplace	Fine of 10 000-20 000 rials, which is doubled each time the violation is repeated
Remuneration of a young person at less than two thirds of the minimum wage for adults in similar occupations or at less than the minimum levels for jobs and occupations in which young persons work, as specified by decision of the Minister	Fine of 20 000 rials
Failure to carry out the preliminary or periodic medical examinations in order to establish the young person's physical fitness for work, or failure to open a health file for each young person	Fine of 20 000 rials, multiplied by the number of persons in respect of whom the violation was committed

Table 10

Number of young offenders in detention in 1996

Governorate	Number	Remarks
Sana'a	48	These figures indicate the number of young offenders detained in penal institutions throughout the Republic. However, a large proportion of juvenile offenders are not detained in these penal institutions, many of them being admitted to juvenile welfare and rehabilitation centres. Others are unable to benefit from these institutional services in view of the limited number of those centres.
Aden	15	
Ta'izz	22	
Ibb	21	
Hodeida	27	
Dhamar	13	
Hadhramaut	0	
Sa'dah	8	
Hajja	5	
Mahwit	6	
Mahra	2	
Al-Baida	4	
Abyan	8	
Shabwah	5	
Al-Jawf	8	
Total	192	

Sources:

1. Legislation (the Civil Service Act, the Insurance and Pensions Act, the Prisons Regulatory Act, the Personal Status Act, the Penal Code, the Labour Act, the Vocational and Technical Training Act, the Juveniles Act, the Yemeni Universities Act, the Nationality Act, etc.).

2. The UNICEF report The State of the World's Children (1997).

3. Reports of centres for the disabled and juvenile welfare centres.

4. Statistical data compiled by the Central Statistical Office.

5. Documents of the Second National Conference on Population Policies, 1996, (Development of human resources).